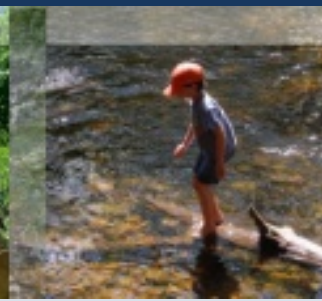
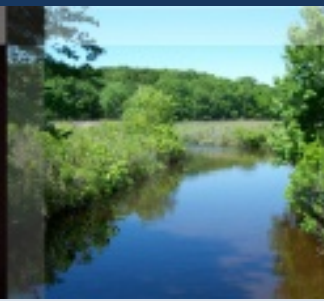




Connecticut Department of Energy and Environmental Protection



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

State of Connecticut Flood Management Program

Diane Ifkovic

State NFIP Coordinator

CAFM 9th Annual Conference, November 15, 2022



Connecticut Department of Energy and Environmental Protection

Floodplain Management – History

Federal Government

- **National Flood Insurance Act of 1968**
 - Enacted following the destruction caused by Hurricane Betsy in New Orleans, LA in 1965
 - Creation of the National Flood Insurance Program (NFIP)
 - Made flood insurance available for the first time
- **Flood Disaster Protection Act of 1973**
 - Made the purchase of flood insurance mandatory for the protection of mortgaged property within Special Flood Hazard Areas (SFHA), flood insurance critical for real estate transactions, increased community participation in the NFIP



FEMA



Start of Connecticut Flood Management Program

Executive Order 18 - Governor Ella Grasso (June 1977)

- Lessen the risk of flood losses in connection with state lands and installations and state financed or supported improvements
- All state agencies responsible for the administration of grant or loan programs Shall preclude the uneconomic, hazardous, or unnecessary use of floodplains
- ALL state agencies with programs that affect land use planning shall encourage land use appropriate to the degree of hazard
- EO18 designated CTDEEP as the state coordinating agency to manage flood prevention and control and the NFIP
- Requirements of EO18 codified in Connecticut General Statute (CGS) 25-68, Chapter 476a Flood Management, Flood Management Certification (FMC)



NFIP Three Legged Stool



Flood Maps & Studies

FEMA produces flood maps & studies.

State statute CGS 25-68 cites the FEMA flood maps as what defines the floodplain.

Flood Regulations

Communities must adopt the flood maps/studies and minimum floodplain regulations or ordinance in order to participate in the National Flood Insurance Program (NFIP).

State of CT has its own regulations (CGS 25-68) for state actions or activities on state land besides requiring state actions/activities to adhere to municipal & federal regulations.

Flood Insurance

FEMA makes federal flood insurance available to property owners in participating communities (mandatory for mortgage held properties)



Connecticut Department of Energy and Environmental Protection

Who has Jurisdiction over Floodplains?



FEMA



Connecticut Department of Energy and Environmental Protection

Local Jurisdiction over Floodplains

Each Community that participates in the National Flood Insurance Program **is required to adopt and enforce a floodplain management zoning regulation or ordinance that meets minimum NFIP requirements.** Communities that do not enforce their regulations can be placed on probation or suspended from the program.



Connecticut Department of Energy and Environmental Protection

CONNECTICUT DEPARTMENT OF ENERGY & ENVIRONMENTAL PROTECTION

MODEL FLOODPLAIN MANAGEMENT REGULATIONS NATIONAL FLOOD INSURANCE PROGRAM (NFIP)

Coastal Community
VE, Coastal AE, AE, AO, AH & A Zones
Level "E" Community
October 2018

Please Note: Effective October 1, 2018, the Connecticut Office of the State Building Inspector (OSBI) amended the current state building code to adopt the 2015 International Residential Code (IRC). Please see the OSBI website for more information on this change, which can be found at: <https://portal.ct.gov/DAS/Office-of-State-Building-Inspector/Building-and-Fire-Code-Adoption-Process> and the 2015 IRC, Chapter 3, Section R322, Flood-Resistant Construction: <https://codes.iccsafe.org/public/document/toc/553/>.

The adoption of the 2015 IRC has made significant changes to the elevation and construction requirements for new construction and substantially improved structures in both coastal and inland floodplains. Section R322.2 contains the elevation requirements for A and AE Zones. Section R322.3 contains the elevation requirements for VE Zones and Coastal AE Zones. Below is a summary of these new requirements:

DEEP Model Regulations for Floodplain Management

Local Jurisdiction over Floodplains

Local Community Jurisdiction – Planning & Zoning and State Building Code (local building official)

No building permit or certificate of occupancy shall be issued for a building, use or structure subject in writing by the official charged with the enforcement of such regulations that such building, use or structure is in conformity with such regulations or is a valid nonconforming use under such regulations.



State Jurisdiction over Floodplains

State Flood Management Certification Process

Connecticut General Statutes (CGS) Section 25-68

- When is a Flood Management Certificate (FMC) Required?
- What is involved in the Certification Process?
- What if a Standard Cannot be Met?



What is a State Action ?

“Proposed State Action”

Individual **activities** or a sequence of planned activities to be undertaken by:

- A State Department
- An Institution or Agency
- Any State or Federal **grant or loan** proposed to be used to fund a project that affects land use.
- ****** A proposed transfer of real property belonging to the state.



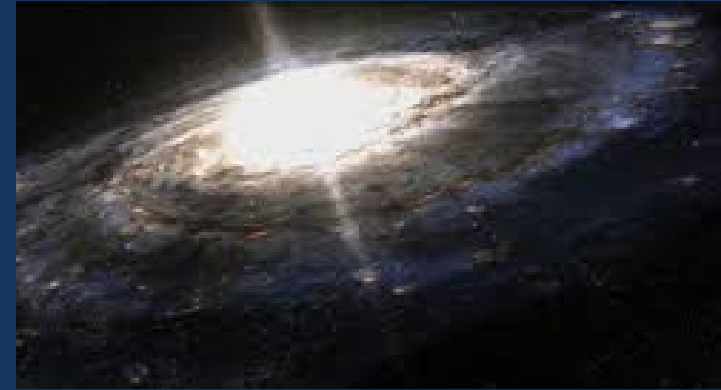
What is a State Action?

CGS Sec. 25-68b - Definitions:

“*Activity*” - Any **proposed state action** **in a floodplain**, or any proposed state action that impacts natural **or man-made storm drainage facilities that are located on property** that the commissioner determines to be controlled by the state.



What is the universe of State Agencies that apply for Flood Management Certifications



- Bridges & Roadways – DOT
- Housing Developments – DOH
- Commercial Developments – DECD
- State Facilities & University System – DAS
- UCONN
- Schools, new and rehab - DAS
- Home Elevations / Resilient Infrastructure – DESPP/DEMHS, DOH
- Recreational – Parks, trails, boat launch facilities - DEEP
- Waste Water Treatment Plants - DEEP



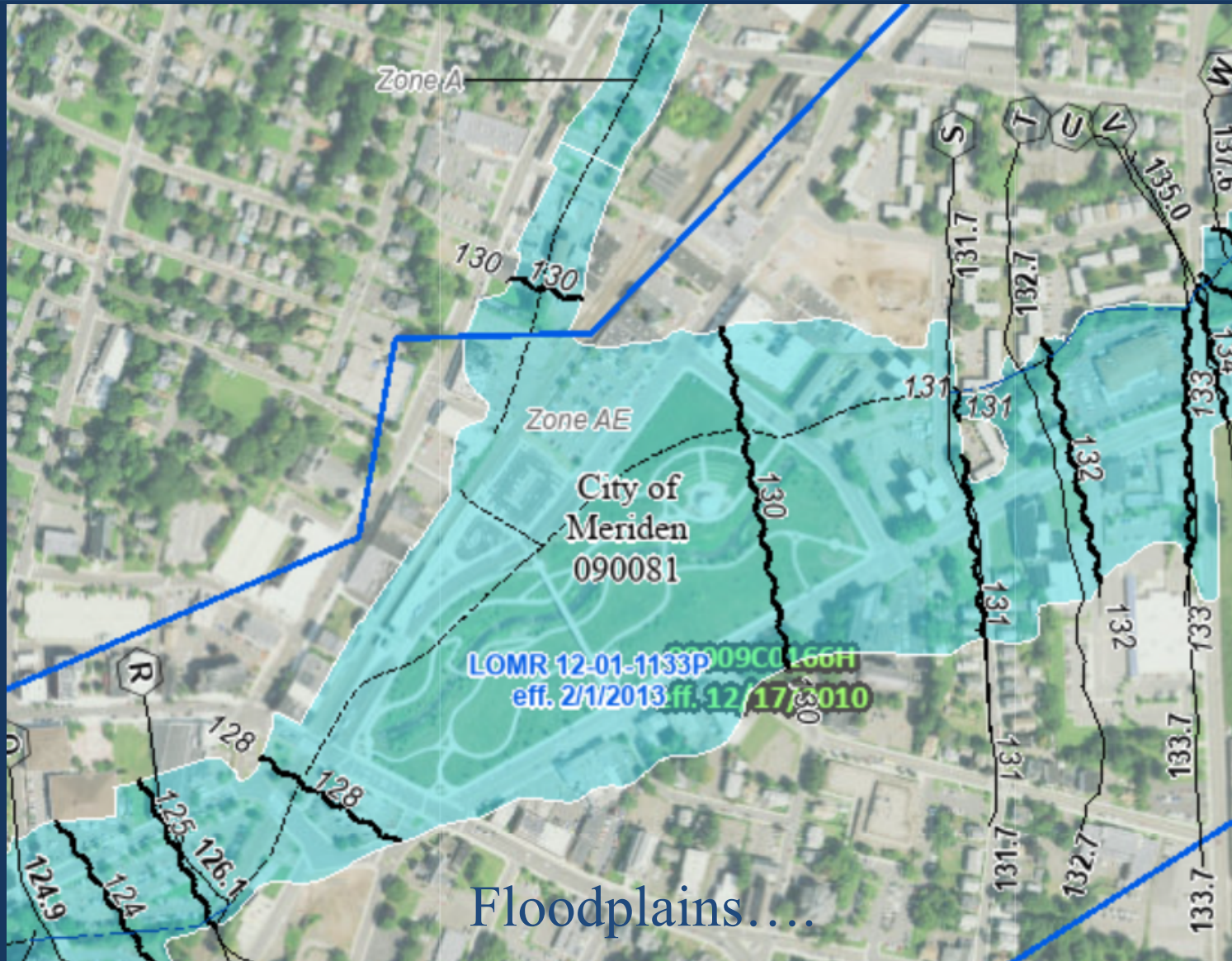
Flood Management Certifications

A state agency shall obtain a Flood Management Certification or a Flood Management Certification with Exemption prior to undertaking an **activity** or a **critical activity** within or affecting the floodplain without first obtaining an approval or approval conditions.

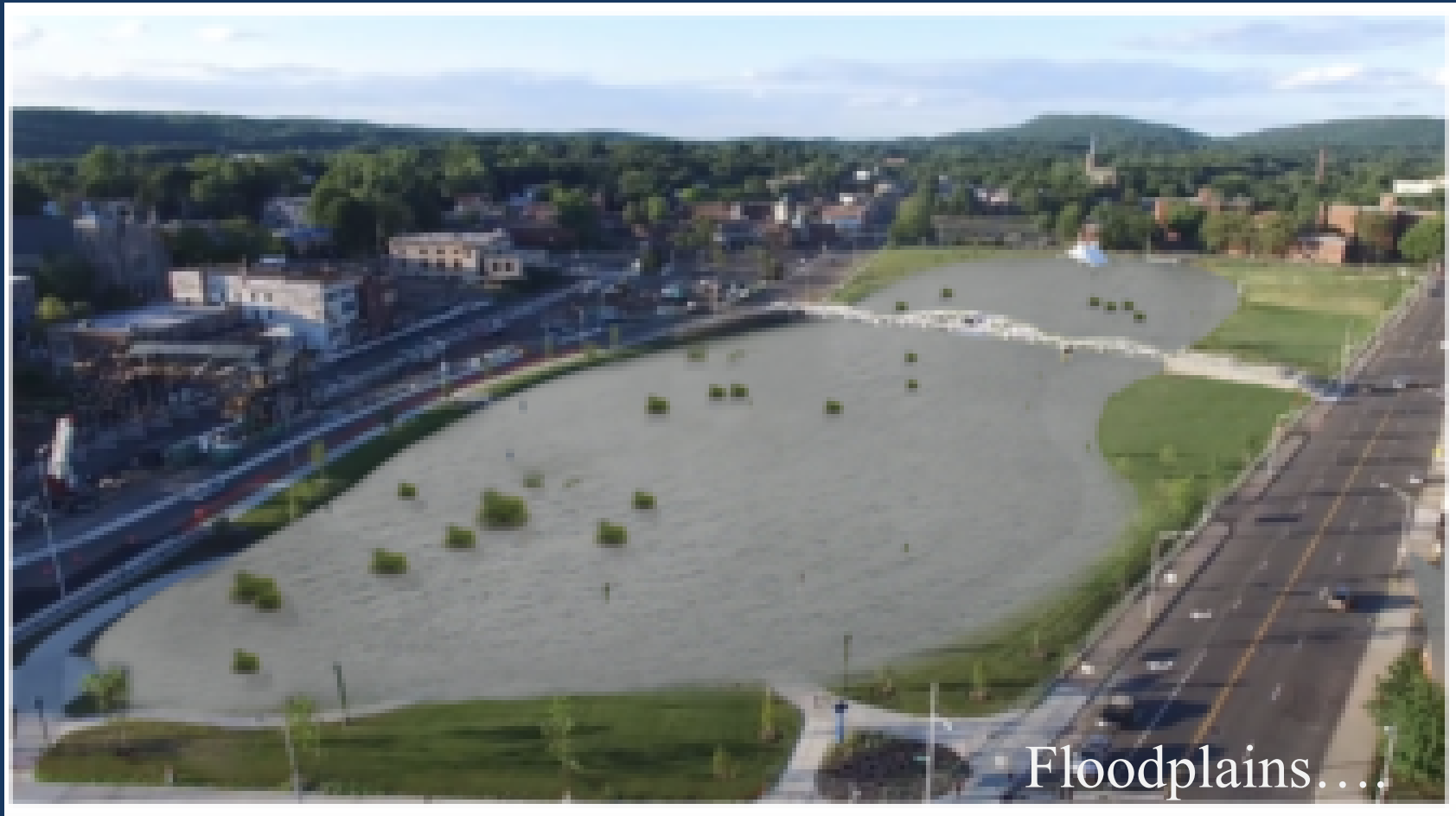
Flood Management Certification (FMC) is obtained from CTDEEP. The State Agency providing the funding must go to CTDEEP for the FMC. The municipality receiving funds does not apply for the FMC.



Definitions: Activity

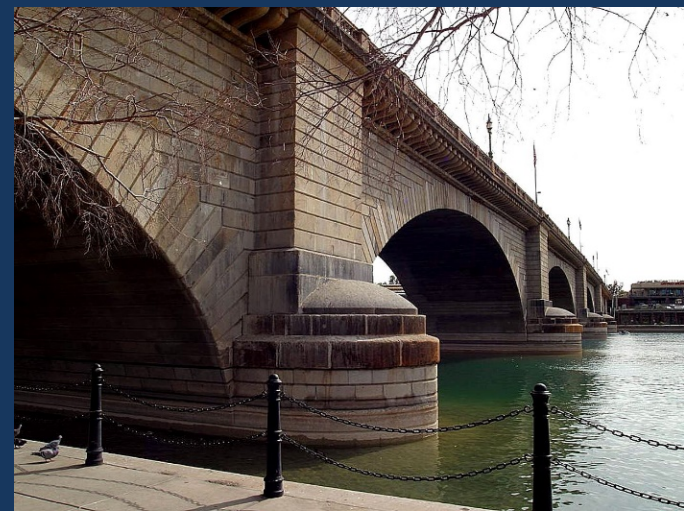


Flood Management Program



Connecticut Department of Energy and Environmental Protection

Flood Management Program



Bridges



Roadways



Commercial Buildings

Activities in Floodplains....



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Flood Management Program

Definitions: Activity



Stormwater on state property...



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Flood Management Program

Critical Activity



Housing




Flood Management Program

"Critical Activity" means any activity, including, but not limited to, the **treatment, storage and disposal of hazardous waste** and the siting of **hospitals, housing for the elderly, schools or residences**, in the 0.2 percent (500-year) floodplain in which the commissioner determines that a slight chance of flooding is too great;




When Do I need a Flood Management Certificate?



Action is conducted by a state department
or is funded by the state through a grant or
loan

AND

Proposed Development is located in a
floodplain or impacts drainage on property
controlled by the state



What must a State agency certify to?

1. Will not obstruct flood flows or result in an adverse increase in flood elevations, significantly affect the storage or flood control value of the floodplains....
2. Complies with the provisions of the **National Flood Insurance Program (NFIP)** and any floodplain zoning requirements adopted by a municipality in the area of the proposal
3. Has acquired.... easements and property in floodplains when the base flood or base flood for critical activity is elevated



Flood Management Program

4. Promotes **long-term non-intensive** floodplain uses and has utilities located to discourage floodplain development.



How to interpret Intensive Use

Non-intensive use of the floodplain – An activity will be considered a Non-Intensive Use of a floodplain provided the following criteria are met:

1. Safety- The proposed state action incorporates safe evacuation routes in times of a flood.
2. Siting of Utilities – The proposed state action will not involve the placement of utilities that will promote or encourage future development within a floodplain
3. Type of Use. The proposed state action will not change the use of the property from an activity to a critical activity.
4. Creation of Dry Land Access. The proposed state action does not involve the placement of fill within a watercourse or any water to create dry land to allow for the construction of a structure.



Flood Management Program

5. Has considered and will use to the extent feasible flood-proofing techniques to protect new and existing structures



6. Has flood forecasting and warning capabilities consistent with the system maintained by the National Weather Service and has a flood preparedness plan.



Flood Management Program

Regulations further clarify requirements:



Section 25-68 h-1(c) Certification of State Agency Activities

(1) Any agency providing grants or loans for an activity shall also demonstrate its ability to guarantee that all requirements of **Section 25-68h-1 through Section 25-68h-3**, inclusive, of these regulations will be complied with by the person or persons receiving the grant or loan.



Flood Management Program

Regulations :

- h-1 Process / Definitions
- h-2 Floodplain Standards
- h-3 Stormwater Standards



Flood Management Program

Section 25-68h-2. Floodplain Management Standards

(a) All state activities shall conform to the Federal Emergency Management Agency National Flood Insurance Program requirements, specifically Part 60 – Criteria For Land Management and Use, Subpart A Sections 60.3, 60.4, and 60.5

No Rise in base flood elevation - floodway

(b) The following restrictions shall pertain to all new and substantially improved structures located within the floodplain.

(1) Structures shall not be designed for human habitation unless elevated with the lowest floor one foot above the level of base flood.



Flood Management Program

Critical Activity – Housing, Hospital, School, Storage of Hazardous Materials (WWTPs) Elevation Requirements



- For Inland floodplains - finished first floor - 500-year BFE + 1 foot
- For Coastal Flood Hazard Areas, the definition of Flood-proofing definition incorporates the **latest sea level change scenario**.

500-year **+2** ft



What if an Agency does not meet the Requirements

Section 25-68d Exemption Process

(d) Any state agency proposing an activity or critical activity within or affecting the floodplain may apply to the commissioner for exemption



Public Participation

Section 25-68d -Exemption Process -

Such application shall include a **statement of the reasons why such agency is unable to comply** with said subsection and any other information the commissioner deems necessary.

The commissioner, at least thirty days before approving, approving with conditions or denying any such application, shall publish once in a newspaper having a substantial circulation in the affected area..... **The commissioner may hold a public hearing**



Flood Management Program

Section 25-68d -Exemption Process, What must an agency demonstrate?

- A) the agency has shown that the activity or critical activity is
1. in the **public interest**,
 2. **will not injure persons or damage property**
 3. **complies with the National Flood Insurance Program**
 4. and, in the case of a loan or grant, the recipient of the loan or grant has been **informed that increased flood insurance premiums** may result from the activity or critical activity.



Flood Management Program

Any activity shall be considered to be in public interest if...



- Subject to **environmental remediation** Pursuant to Sec. 22a-133k

AND

-**is in or adjacent** to an area identified as a **regional center, neighborhood conservation area, growth area or rural community center** in the State Plan for Conservation & Development pursuant to Chapter 297



Example - Bassick High School

Proposed high school by the City of Bridgeport

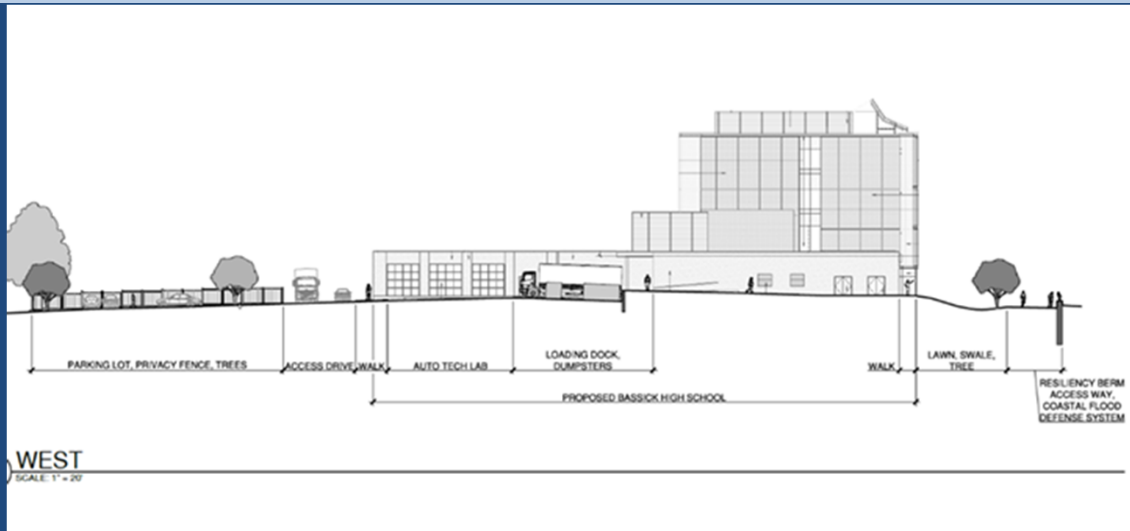
The City is receiving grant funds through the School Construction Grant Program administered by the CT Department of Administrative Services (DAS).

The proposed building is located in a 100-year coastal AE floodplain.

Bassick High School will be placed on fill /elevated so that the **finished first floor** will be set at elevation **18.0 ft** which is 2 feet above the 500-year flood elevation.

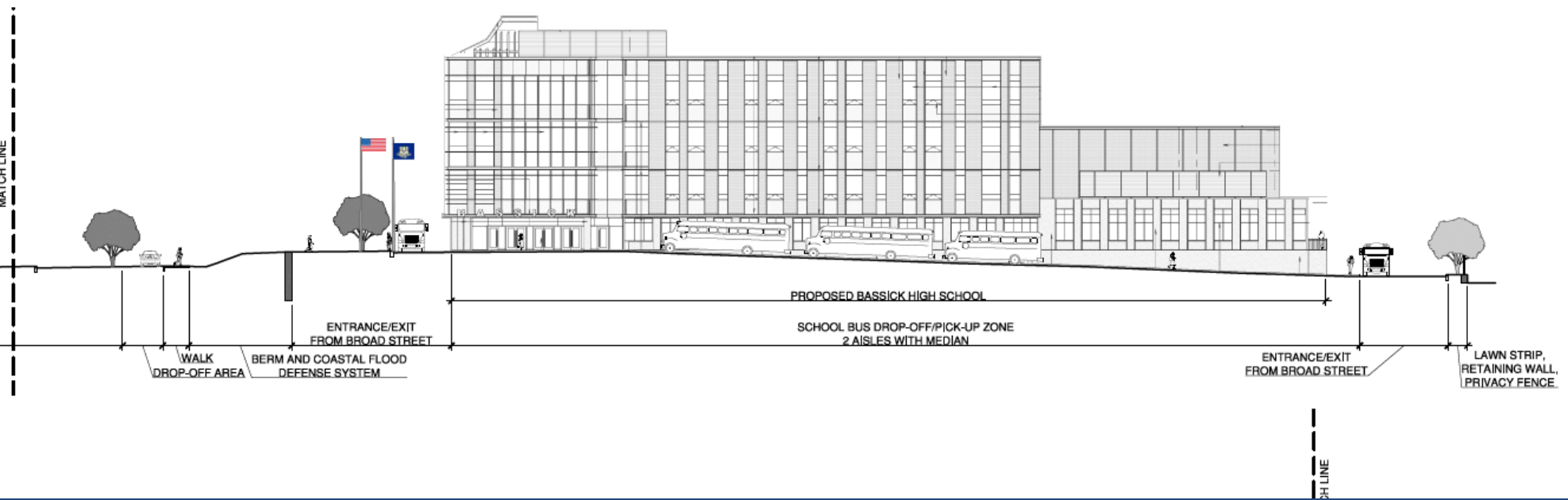


Bassick High School



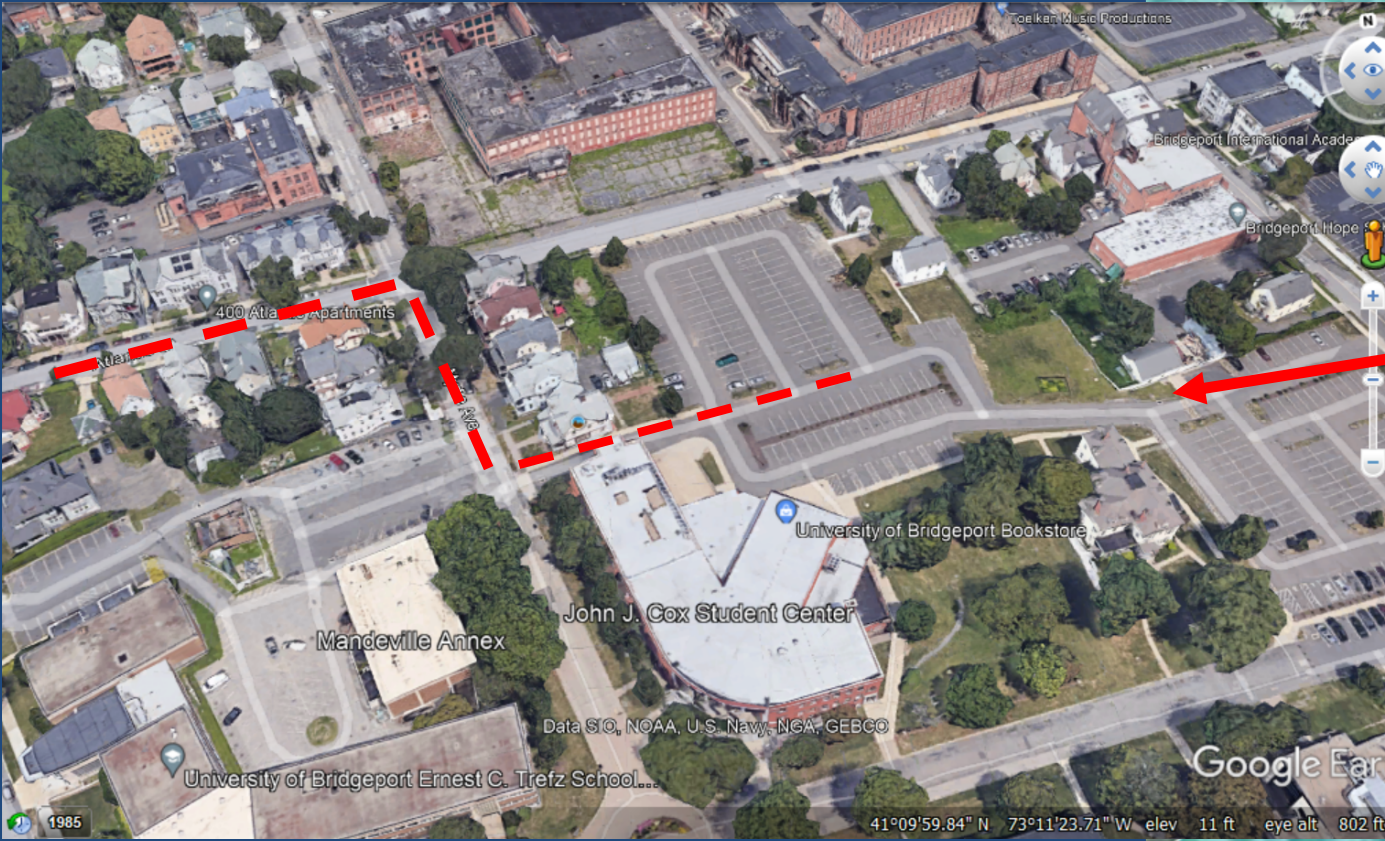
EAST - NORTH PARKING

SCALE: 1" = 20'



Evacuation Route during a significant coastal storm event

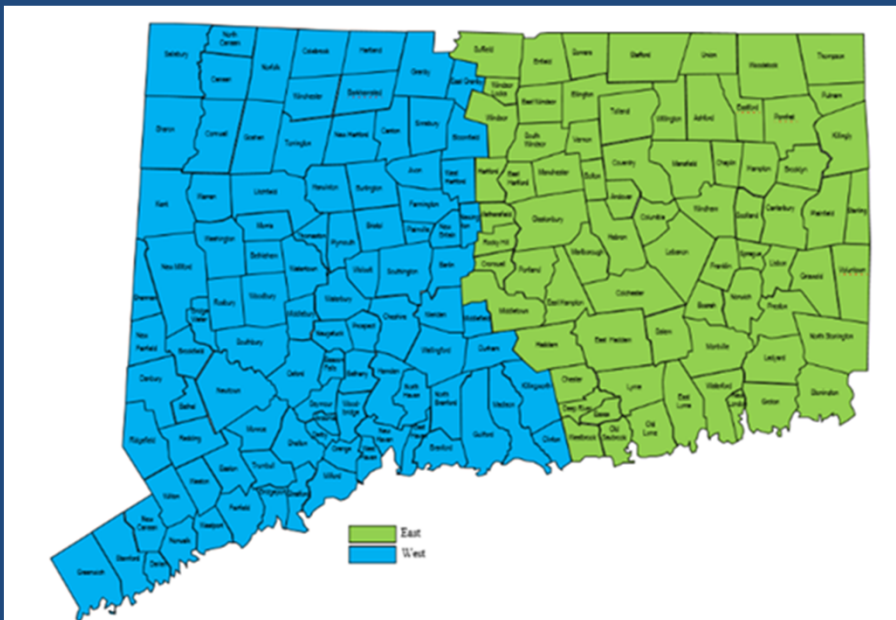
Dry Land Access



Land & Water Resources Division

Point of Contacts -

- Assistant Director – Jeff Caiola – jeff.caiola@ct.gov
- Supervisors
 - East – Vacant – refill in process
 - West – Sue Jacobson, susan.Jacobson@ct.gov
 - Infrastructure – Bill Sigmund, william.sigmund@ct.gov
 - Enforcement – Brian Golembiewski, brian.golembiewski@ct.gov



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Flood Management Program



Questions?



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