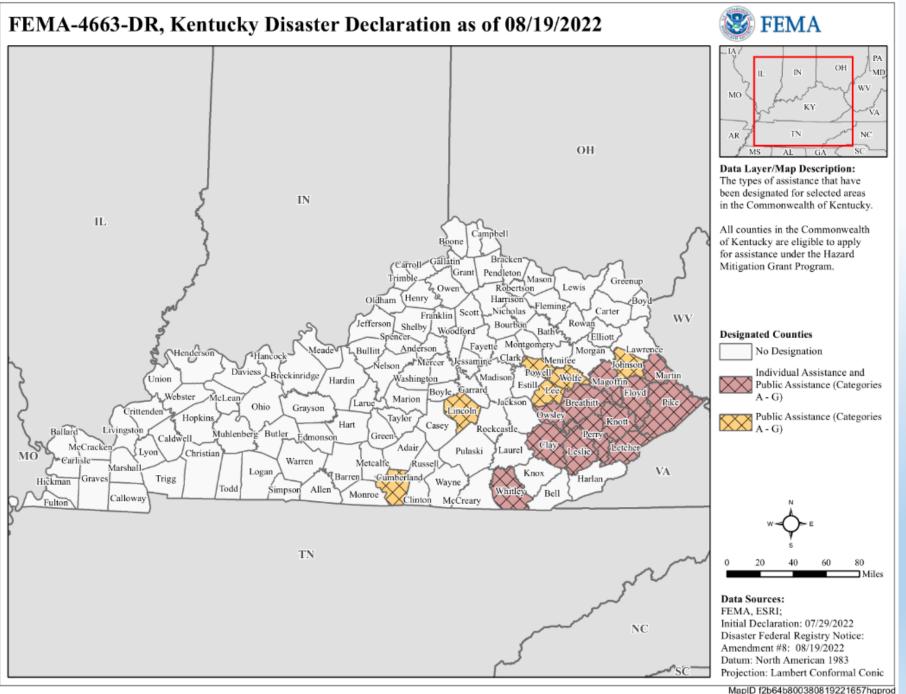
# Disaster Permitting

**DR-4663** 



**Rebuild Safer and Stronger** 





### Overview

### 3 Types of Floodplain Permitting for Disaster Recovery

- Emergency Private Bridge or Culvert Repair (new)
- Emergency Community Infrastructure Repair
- Structure Repair or Replacement and Private Bank Stabilization

### Mitigation Information

- What is Mitigation
- FEMA funding: HMGP, BRIC, FMA, Increased cost of Compliance
- DLG, HUD

KYTC Waterway Debris Removal Project





**Rebuild Safer and Stronger** 



- 1. Pre-authorized repair or replacement of private bridges or culverts to allow access to homes and businesses
- 2. New/repaired structure maintains or increases original water conveyance capacity more or larger pipes, higher bridge with minimal fill for approaches
- 3. Limit mobile equipment working in the stream channel.
- 4. All construction debris disposed of outside the floodplain.
- 5. Submit the Emergency Private Bridge or Culvert Repair Form within 60 days of completion of construction.
- 6. Owner or any successor shall maintain the bridge or culvert crossing in good condition and keep it free of drift and debris at all times.



# DEPARTMENT FOR ENVIRONMENTAL PROTECTION DIVISION OF WATER

#### EMERGENCY PRIVATE BRIDGE OR CULVERT REPAIR FORM

Any construction activity or placement of fill material in or along a stream that could, in any way, obstruct flood flows without a construction permit from the Division of Water is a violation of Chapter 151 of the KENTUCKY REVISED STATUTES. Construction to complete emergency repairs on a private bridge or culvert prior to stream construction permitting is authorized if completed under the conditions on the back of the form, and if this completed form is submitted to the Division within 60 days of completion of construction.

1.	OWNER/AGENT:  Give name of person(s), company, government agency, or other owner of project.						
	TELEPHONE #: E-MAIL:						
	REPAIR SITE ADDRESS:						
2.	REPAIR SITE LATITUDE/LONGITUDE (IMPORTANT):						
3.	COUNTY (IMPORTANT):						
4.	STREAM NAME:						



5.	DESCRIPTION OF CONSTRUCTION:	Describe the original and replacement crossing (additional/upsized culverts, raising of bridge deck, etc.)
6.	DATE CONSTRUCTION COMPLETED:	
7.	INCLUDE PHOTOS SHOWING A SIDE THE CROSSING.	VIEW OF THE CROSSING BOTH UPSTREAM AND DOWNSTREAM OF
		ision of Water to review the emergency bridge or culvert replacement to verify the lations. Any additional information which is necessary will be provided upon request. he information is true and correct.
	SIGNAT	Type Legal name or sign if printing/mailing
	DATE:	



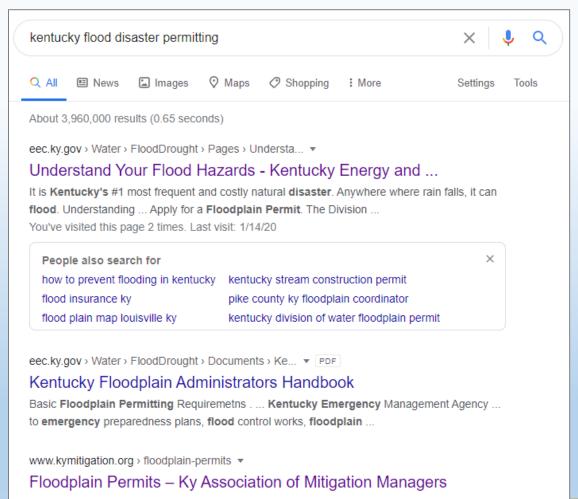
# Where to Find the Emergency Form

Available Digitally Online

#### Google Search:

"kentucky flood disaster permitting"

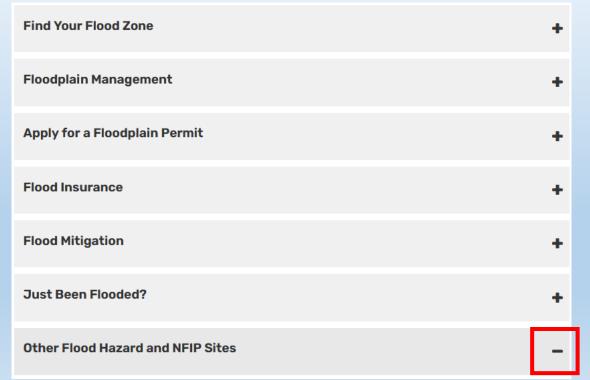
 The "Understand Your Flood Hazards" page should be one of the top results





# Where to Find the Emergency Form Cont.

 Open the "Other Flood Hazards" tab at the bottom, the worksheet file is titled the "Disaster Permitting Package.zip"



#### Other Flood Hazard and NFIP Sites Flood Maps and Base Flood Elevations Kentucky Flood Hazard Portal % FEMA Map Service Center % Louisville MSD **Kentucky Flood Guides** Kentucky Flood Fact Sheet [59 KB] Kentucky Quick Guide [5.1 MB] Kentucky Floodplain Administrators Handbook [1.8 MB] Matershed Friendly Stream Maintenance FAQ [2.4 MB] ☐ Stream Maintenance Guide.pdf [4.7 MB] When Is Insurance Required Infographic [389 KB] Viewing and Using Digital Flood Maps [2.3 MB] Kentucky Flood Preparedness Quick Guide.pdf [577 KB] Other Flood Risk Links How Do I Buy Flood Insurance? Answers to Questions about the National Flood Insurance Program [1.5 MB] % Floodsmart.gov Hazard Mitigation Assistance % Kentucky Association of Mitigation Managers (KAMM) 2018 CTP Recognition Award Winner - Division of Water Story Map Disaster Assistance Response Team Contacts.pdf Disaster Permitting Package.zip 🗡 Floodplain General Fermit.pdf Floodplain General Permit Fact Sheet.pdf DR-4663 Emergency Private Bridge or Culvert Repair Form

# Don't Haul Off My Bridge



**Rebuild Safer and Stronger** 



### FEMA Private Bridge Assistance

- A FEMA inspection is necessary to determine if repairs are necessary for a vehicle to access the property. In addition, the applicant must meet at least one of the following conditions:
- The road and/or bridge is the only access to the property.
- No one can access the home due to damaged infrastructure.
- The applicant is responsible (or shares responsibility with other homeowners) for maintaining the privately-owned access route to their primary residence.
- The safety of the occupants could be adversely affected because emergency services vehicles, such as an ambulance or fire truck, cannot reach the residence. However, this will only be considered if access was available before the disaster occurred.
- See <a href="https://www.fema.gov/fact-sheet/privately-owned-roads-and-bridges-0">https://www.fema.gov/fact-sheet/privately-owned-roads-and-bridges-0</a>



# Governor's Flood Resources and Private Bridge Assistance

- Flood resources and assistance opportunities are available at the Governor's Flood Resources Website, <a href="https://governor.ky.gov/flood-resources">https://governor.ky.gov/flood-resources</a>
- Register online at <a href="https://arcg.is/010GPj0">https://arcg.is/010GPj0</a>, 502-234-1225, or QR



 Registering does not guarantee repair or replacement of your damaged or destroyed bridge or road.



# Emergency Community Infrastructure Repair



**Rebuild Safer and Stronger** 



### Emergency Community Infrastructure Repair

- 1. Pre-authorized repairs to damaged public roadways, utility lines etc. to restore community services. Does not include buildings.
- Repairs must maintain or increase original water conveyance capacity limited to original stream bank contours, more or larger pipes, higher bridge with minimal fill for approaches
- 3. Limit mobile equipment working in the stream channel.
- 4. All construction debris disposed of outside the floodplain.
- 5. Submit the Disaster Permitting Worksheet for multiple repair sites.
- 6. The owner or any successor shall maintain bridge or culvert crossings in good condition and keep it free of drift and debris at all times

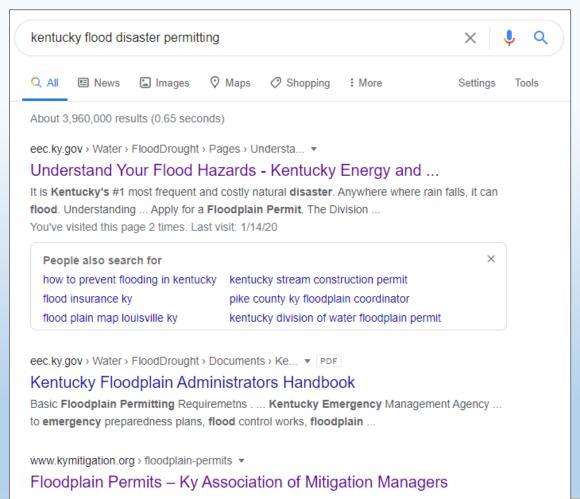


### Where to Find the Disaster Worksheet

Available Digitally Online

#### Google Search:

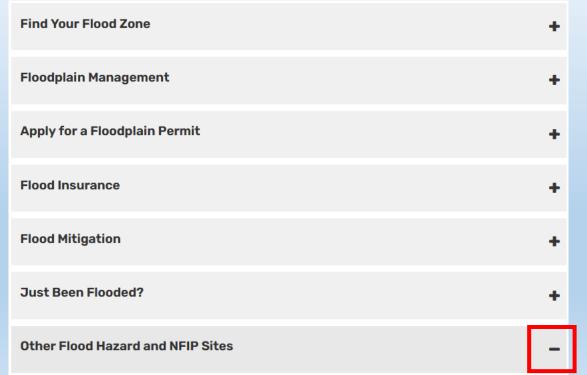
- "kentucky flood disaster permitting"
- The "Understand Your Flood Hazards" page should be one of the top results





### Where to Find the Disaster Worksheet Cont.

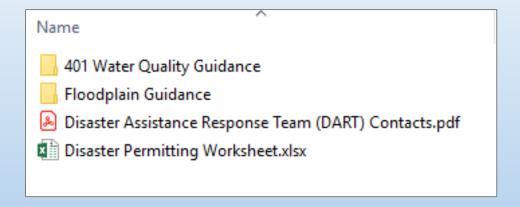
 Open the "Other Flood Hazards" tab at the bottom, the worksheet file is titled the "Disaster Permitting Package.zip"



#### Other Flood Hazard and NFIP Sites Flood Maps and Base Flood Elevations Kentucky Flood Hazard Portal % FEMA Map Service Center % Louisville MSD **Kentucky Flood Guides** Kentucky Flood Fact Sheet [59 KB] Kentucky Quick Guide [5.1 MB] Kentucky Floodplain Administrators Handbook [1.8 MB] 内 Stream Maintenance Guide.pdf [4.7 MB] When Is Insurance Required Infographic [389 KB] Viewing and Using Digital Flood Maps [2.3 MB] Kentucky Flood Preparedness Quick Guide.pdf [577 KB] Other Flood Risk Links How Do I Buy Flood Insurance? Answers to Questions about the National Flood Insurance Program [1.5 MB] % Floodsmart.gov Hazard Mitigation Assistance % Kentucky Association of Mitigation Managers (KAMM) 2018 CTP Recognition Award Winner - Division of Water Story Map Disaster Assistance Response Team Contacts.pdf Disaster Permitting Package.zip 🗡 Floodplain General Fermit.pdf Floodplain General Permit Fact Sheet.pdf DR-4663 Emergency Private Bridge or Culvert Repair Form

### Included Files in the Folder

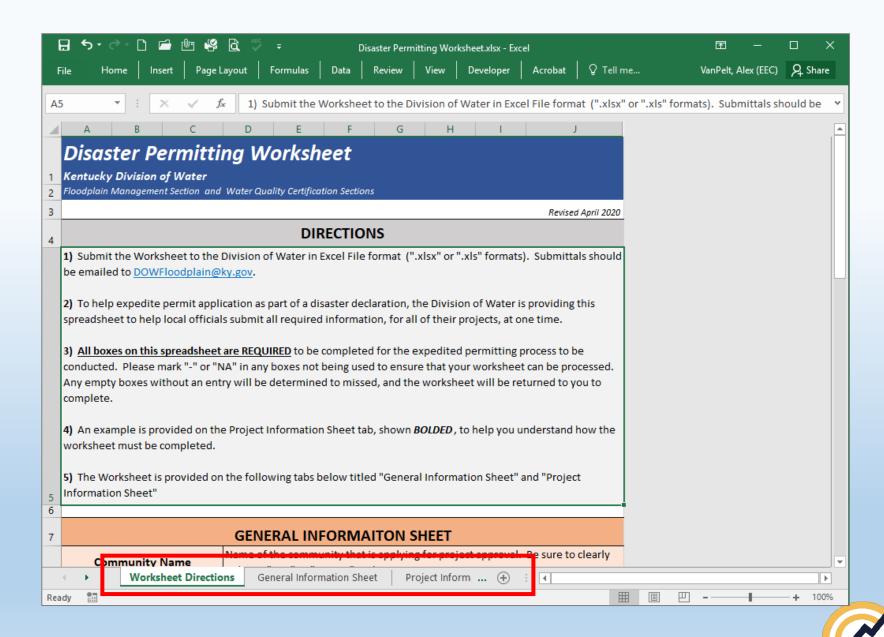
- Several Files are included in the Zipped Folder
  - 401 Water Quality Guidance Documents
    - Water Quality Guide for Disaster Cleanup Activities
    - Stream Maintenance Guide and the FAQ
  - Floodplain Guidance Documents
    - DOW H&H Study Quick Guide
    - Mitigation Ideas
    - Mitigations Value To Your Community
    - Role of Mitigation Post Disaster
  - Disaster Assistance Response Team (DART) Contacts list
  - Disaster Permitting Worksheet





- Worksheet was revised April 2020
- 5 General
   Worksheet
   Directions listed

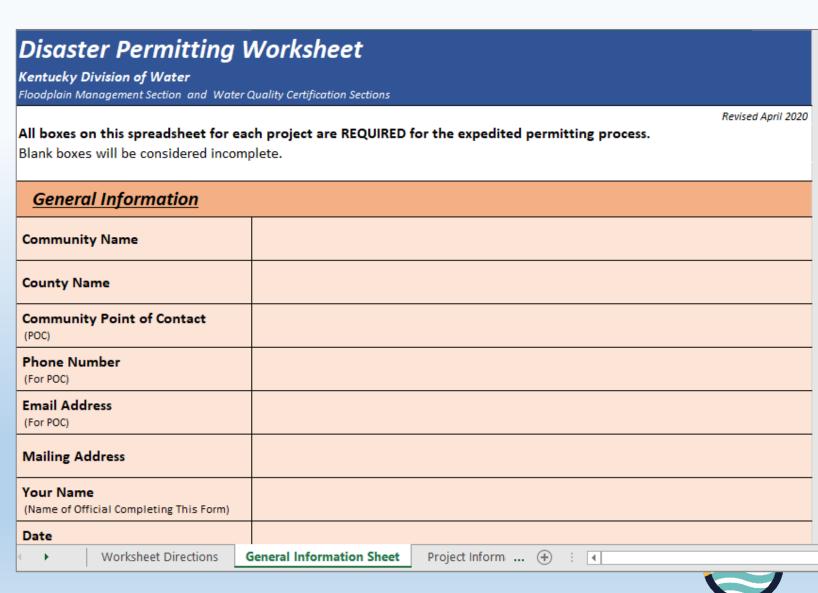
 Worksheet includes 3 Tabs covering different topics



### General Information Sheet

- Sections are color coded to match the Worksheet Directions
  - General Information

- ALL Boxes on each page are REQUIRED for review.
  - Any blank boxes will be considered incomplete



# Project Information Sheet

#### Disaster Permitting Worksheet

Kentucky Division of Water

Floodplain Management Section and Water Quality Certification Sections

All boxes on this spreadsheet for each project are REQUIRED for the expedited permitting process. Blank boxes will be considered incomplete. Please put "NA" if not applicable

#### **Project Information**

Disaster Number	KYEM Damage Inventory Number	Damage Date	Project Name	Description of Activity	Stream Name Latitude & Longitude			Has the Work Been Started (Y or N)	Project Type (Mark One )		U: Deteri (IP,
DR-1234	#123456	2/10/19	Culvert Replacement #01	Fixing the box culvert on Benson Valley Rd. with an in-kind replacement. Road will be at the same elevation as it was before the damage occured.	Benson Creek	38.209722	-84.890705	Yes	In-Kind X	Mitigated -	Exem <sub>(</sub>
									-	-	
									-	-	
									1	-	
									1	-	
									-	-	
									-	-	
									-	-	
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									-	-	
General Information Sheet Project Information Sheet											

# Project Information Sheet Cont.

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Revised: April 2020

RED for the expedited permitting process. Blank boxes will be considered incomplete. Please put "NA" if not applicable

**Project Information Sheet** 

General Information Sheet

Description of Activity	Stream Name	Latitude &	Longitude	Has the Work Been Started (Y or N)		t Type k One ) Mitigated	USACE Determination (IP, NWP #, Exempt, or NA)	Will Streams and/or Wetlands Be Impacted (Y or N)	Linear Feet of Stream Impacted	Acres of Wetland Impacted
Fixing the box culvert on Benson Valley Rd. with an in-kind replacement. Road will be at the same elevation as it was before the damage occured.	Benson Creek	38.209722	-84.890705	Yes	x	-	NWP #3	Yes	100 feet	NA
					-	-				
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1

### Project Information Sheet Cont.

 Don't Forget the Worksheet Directions tab describes what we're asking for.

 For Example, the Will Streams be Impacted defines the term "impacts" so you know what we're asking.

PROJECT INFORMAITON SHEET						
USACE Determination	If fill material is placed within a stream or wetland, contact the U.S. Army Corps of Engineers (USACE) District Office in your area to determine if a §404 permit is required for the activity. Examples of fill material include rock, concrete, rail & cribbing, soil backfill, culverts, and bridge piers. If a permit is required from USACE, enter the type of §404 permit required as follows: NWP # = Nationwide Permit #, IP = Individual Permit, Exempt = Emergency Exemption, or NA = Not Applicable or Not Required					
	US Army Corps of Engineer Districts for Kentucky					
	USACE Louisville District	(502) 315-6733				
	USACE Nashville District	(615) 369-7500				
	USACE Memphis Distric	(901) 544-3471				
The term "Impacts" refers to any temporary or permanent fill placed below stream Ordinary High Water Mark (OHWM) of a stream, and/or fill placed wi wetland. Enter "Yes" if fill material is placed within a wetland or within a stream bank. Enter "No" if fill material is not placed within a wetland. Contact the Water Quality Certification Section for more information on fill placement & stream/wetlands impacts.						
Lineau Frank of	If fill material is placed within a stream channel or down the stream bank, how					
Linear Feet of Stream Impacted	many liner feet of the stream channel or bank is receiving fill material? Enter "NA" if fill material is not being placed in the stream channel.					
Acres of Wetland Impacted	d, how many acres of wetland is naterial is not being placed in a wetland.					



#### **General Information Sheet**

1) Community Point of Contact

2) Your Name

- The name of the person that can answer additional questions about the listed projects (example: road foreman for bridge replacement)
- The name of the person physically completing the worksheet. In 2019 we had submittals that no one knew who completed them.



#### **Project Information Sheet**

1) Damage Inventory Number

### 2) Damage Date

#### Where to Find Data

 The number assigned by KYEM when the damage was first assessed. Contact KYEM or FEMA for this number

 The date the damage physically occurred. Date must be during the Incident Period for this disaster number.

fema.gov/disasters



#### **Project Information Sheet**

4) Latitude & Longitude (Lat/Long)



#### Where to Find Data

- The Lat/Long where the work is occurring. Can be found using Google Maps.
  - a. Find your area
  - b. 'Right Click' on your site
  - c. Select the 'What's Here' option
  - d. Lat/Long will appear on screen

### Google Maps Lat/Long Help:

tinyurl.com/h63eyvv



#### **Project Information Sheet**

5) Will Streams and/or Wetlands be Impacted?

- Will any 'Fill' material be placed below the Ordinary High Water Mark (OHWM) of the stream. The OHWM is typically where the plants stop growing.
- Fill typically refers to things like rock, concrete, rail & cribbing, soil backfill, culverts, and bridge piers.
- Contact the Water Quality
   Section at 401WQC@ky.gov for help with this column.

#### **Project Information Sheet**

6) Linear Feet of Stream Impacted

7) Acres of Wetland Impacted

- For these two, if you answered 'YES' to Will Streams and/or Wetlands be Impacted, indicate how many linear feet (length) of the stream and how many acres (area) of wetlands will be impacted.
- If you answered 'NO', enter "NA"
- Contact the Water Quality
   Section at 401WQC@ky.gov for help with this column.



#### **Project Information Sheet**

8) USACE Determination:
Permit Type for the project
(US Army Corps of Engineers)

- Contact your local USACE District to see if 404 permits are required for your projects
- Permit types are
  - Individual Permit (enter IP)
  - Nationwide Permit (enter NWP#)
  - Exempt (enter exemption reason)
  - no 404 permit needed (enter NA)

US Army Corps of Engineer Districts for Kentucky						
USACE Louisville District (502) 315-6733						
USACE Nashville District	(615) 369-7500					
USACE Memphis Distric	(901) 544-3471					



### How To Submit

 Once the worksheet is complete, submit it to the Division of Water for review by emailing it to <a href="mailto:DOWFloodplain@ky.gov">DOWFloodplain@ky.gov</a>

- The Worksheet should be submitted in Excel Format, NOT PDF or Word!
  - The file type should be '.xlsx' or '.xls' formats
  - Note: For help with Excel File types, visit <u>tinyurl.com/onrynrp</u>



# Structure Repair or Replacement and Private Bank Stabilization





# Structure Repair or Replacement and Private Bank Stabilization

- 1. Debris removal and cleanup does not require a permit debris must be properly disposed of outside the 1% annual chance floodplain.
- 2. Requires a stream construction permit from the Division and local floodplain coordinator
- 3. Division will waive public notification for in kind repair/replacement
- 4. For structure repairs, Division requires itemized cost of repairs that includes labor cost (similar to contractor quote) and PVA Card
- 5. If structure is substantially damaged, the repairs/replacement must bring the structure into compliance with all current FEMA requirements.
- 6. Flooding will happen again please Rebuild Safer and Stronger



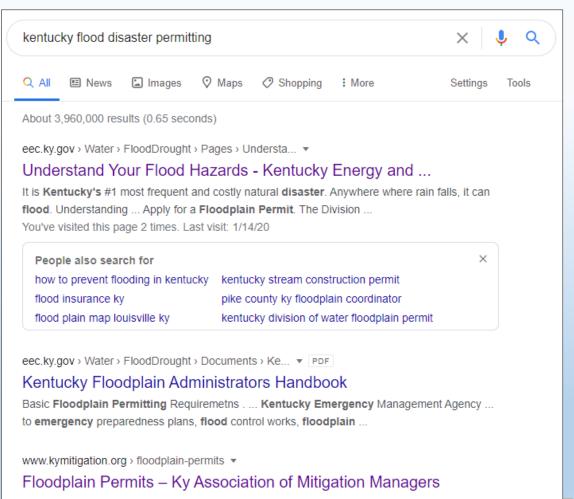
### Where to Find the Form 7116

Available Digitally Online

#### Google Search:

"kentucky flood disaster permitting"

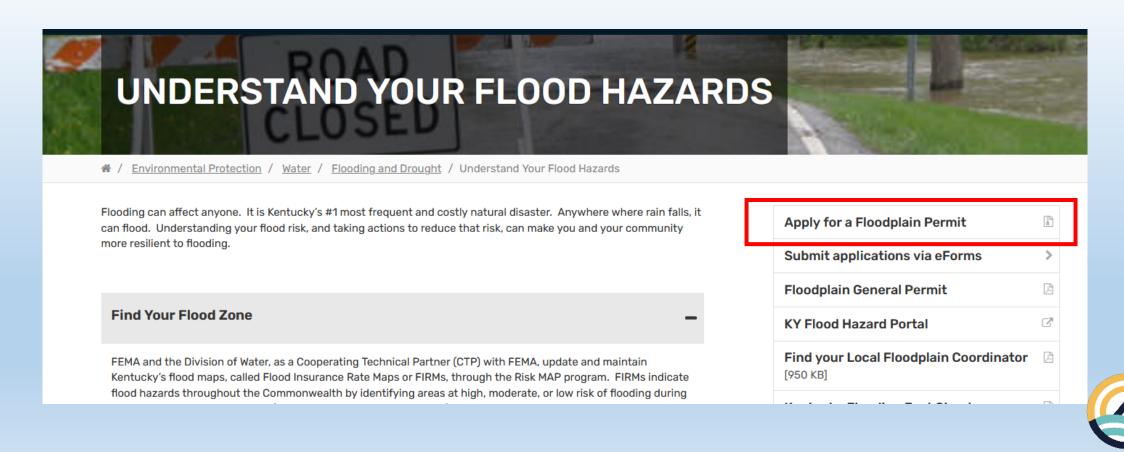
 The "Understand Your Flood Hazards" page should be one of the top results





### Where to Find Form 7116 Cont.

 On the "Understand Your Flood Hazards" page, click "Apply for a Floodplain Permit" to download a zip file of forms and information.



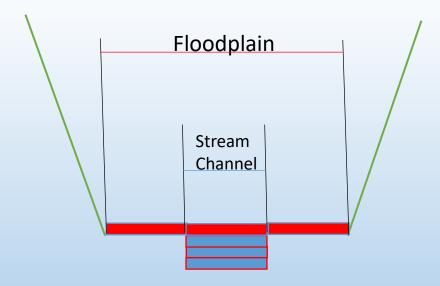
### What is Mitigation

- "Mitigation is the effort to reduce loss of life and property by lessening the impact of disasters"
- Mitigation can occur pre-, during, or post-flood
- Funding sources are available to help communities and its citizens take mitigation actions





# Dredging Creeks is not the Solution



The stream channel cannot be deepened enough to make a substantial change in flood depth

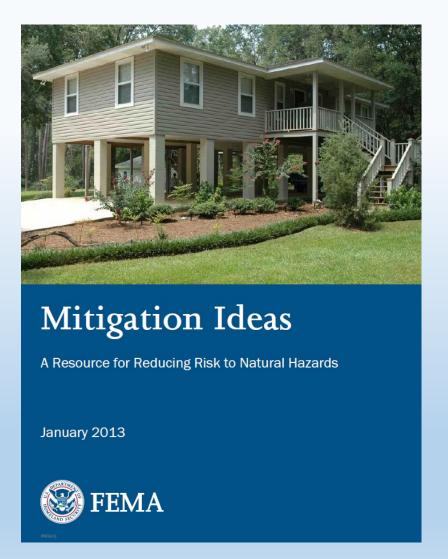


### Mitigation Ideas

- Is a guide from FEMA that provides a resource "...to identify and evaluate a range of potential mitigation actions for reducing risk to natural hazards..."
- Has mitigation ideas for 17 natural hazard types, including flooding
  - 23 mitigation ideas specifically for flood

Download a copy at:

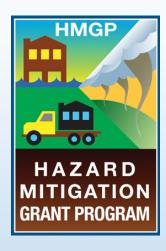
https://bit.ly/31GQgj5





# Mitigation Funding

- Hazard Mitigation Grant Program (HMGP)
  - Post-Disaster Grant
  - Help communities implement hazard mitigation measures following a disaster declaration.
  - KY is an Enhanced state: 20% of disaster funds allocated for HMGP
  - Typical Project Cost Breakdown:
    - FEMA funds 75%
    - Kentucky funds 12%
    - Locals responsible for 13%\*\*





<sup>\*\*</sup>Department for Local Government (DLG) may be able to fund up to 75% of local share

### Mitigation Funding Cont.

- Building Resilient Infrastructure and Communities (BRIC)
  - New Pre-Disaster Grant
  - \$1B funding available in 2021
  - Application period opens in late summer
- Flood Mitigation Assistance (FMA)
  - Pre-Disaster Grant
  - Provides funding to local communities for projects & planning that reduces or eliminates long-term risk of flood damage to structures insured under the NFIP
  - \$160m funding available in 2021
  - Application period opens in late summer
- Geni Jo Brawner, KYEM
   State Hazard Mitigation Officer
   geneva.j.brawner.nfg@mail.mil

Esther White
 Grants Manager at UK

 eewhit3@uky.edu







### Mitigation Funding Cont.

- Increased Cost of Compliance (ICC)
  - Part of a standard NFIP flood insurance policy
  - Can provide up to \$30,000 to help cover the cost of mitigation actions that help reduce flood risk
  - Must have the following: 1) Flood insurance policy, 2) Be in the floodplain, and
     3) Be declared substantially damaged by the local community
- DLG's Flood Control State Matching Grant Program
  - May be able to help meet the local cost-share match requirements associated with mitigation projects.
    - Contact Aaron Jones

AaronJ.Jones@ky.gov

https://kydlgweb.ky.gov/FederalGrants/16 FedGrantsHome.cfm





### Mitigation Funding Cont.

### • HUD 203(K) Loan Program

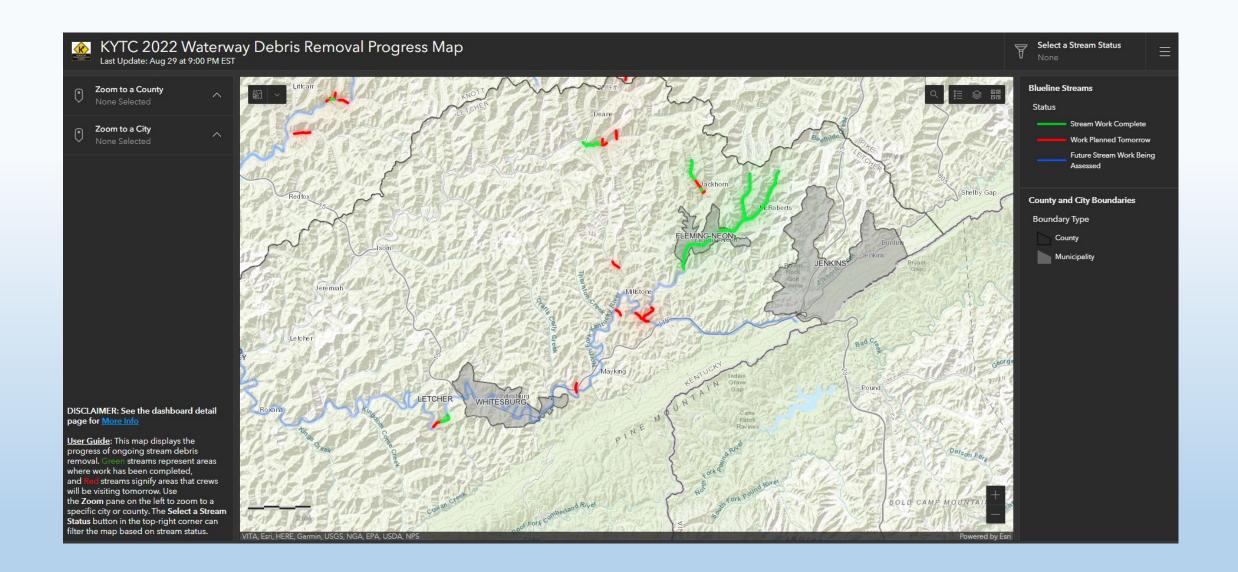
- Traditional lending requires Loan-to-Value ratios that may prohibit financing of mitigation activities.
  - 203K allows homeowners to finance the purchase plus the cost of its repairs through a single mortgage.
  - Portion of loan pays off existing mortgage, and remaining funds put in escrow & released on project completion.
    - Streamlined process available for repairs up to \$35,000

#### Eligible Activities

- Structural elevation of the home above BFE
- Relocation of the home to a non-flood prone site
- Dry floodproofing (e.g., make structure water-tight)
- Wet floodproofing (e.g., installing flood vents)
- Relocating utilities and systems out of a basement, or elevating the utilities
- Overhead sewers and/or backflow prevention
- Structural alterations and reconstruction
- Contact Jennifer Peters with DLG jennifer.peters@ky.gov









To report debris in streams for KYTCs 2022 Waterway Debris Removal project, contact 855-336-2337

Have address, latitude/longitude or precise directions when you call.

As of 3PM 8/30/2022, debris removal has been completed at 78 sites with removal scheduled for an additional 72 sites. Sites are added daily.

See the progress map at:

https://thompsoncs.maps.arcgis.com/apps/dashboards/b7bf42e1cd8748808d25819aab0e1e97



# Kentucky Flood Resources

https://governor.ky.gov/flood-resources

• Information on many resources and locations to get assistance.



### Contact Info

#### **Shawn Hokanson**

 DOW Water Resources Branch Manager <u>shawn.hokanson@ky.gov</u> (502) 782-6977 (Direct Line)

#### David Coe

DOW Floodplain Management Supervisor
 <u>david.coe@ky.gov</u>
 (502) 782-6296 (Direct Line)

#### Alex VanPelt

Kentucky NFIP Coordinator
 <u>alex.vanpelt@ky.gov</u>
 (502) 782-7120 (Direct Line)

- Division of Water
  - General DOW Contact

water@ky.gov (502) 564-3410

Division of Water 300 Sower Blvd., 3<sup>rd</sup> Floor Frankfort, KY 40601

#### Samantha Vogeler

DOW Water Quality Certification Supervisor
 samantha.vogeler@ky.gov
 (502) 782-6995 (Direct Line)



# Questions



