

## **RULE E: FLOODPLAIN ALTERATION**

1. **POLICY.** It is the policy of the Board of Managers to:
  - (a) Utilize the best information available in determining the 100-year flood elevation.
  - (b) Preserve existing water storage capacity within the 100-year floodplain of all waterbodies and wetlands in the watershed to minimize the frequency and severity of high water.
  - (c) Enhance floodplain characteristics that promote the natural attenuation of high water, provide for water quality treatment, and promote groundwater recharge.
  - (d) Preserve and enhance the natural vegetation existing in floodplain areas for aquatic and wildlife habitat.
  
2. **REGULATION.** No person may alter or fill land within the floodplain of any lake, stream, wetland, public drainage system, major watercourse, or public waters without first obtaining a permit from the District. Shoreline/streambank restoration or stabilization, approved in writing by the District and/or County Conservation District as necessary to control erosion and designed to minimize encroachment and alteration of hydraulic forces, does not require a permit under this Rule.
  
3. **CRITERIA FOR FLOODPLAIN ALTERATION.**
  - (a) Fill within a designated floodway is prohibited.
  - (b) Fill within the floodplain is prohibited unless compensatory floodplain storage volume is provided within the floodplain of the same water body, and within the permit term. If offsetting storage volume will be provided off-site, it shall be created before any floodplain filling by the applicant will be allowed.
  - (c) Any structure or embankments placed within the floodplain will be capable of passing the 100-year flood without increasing the elevation of the 100-year flood profile.
  - (d) Compensatory floodplain storage volume is not required to extend an existing culvert, modify an existing bridge approach associated with a Public Linear Project, or place spoils adjacent to a public or private drainage channel during channel maintenance, if there is no adverse impact to the 100-Year Flood Elevation.
  - (e) Compensatory floodplain storage volume is not required for a one-time deposition of up to 100 cubic yards of fill, per parcel, if there is no adverse impact to the 100-Year Flood Elevation. For public road authorities, this exemption applies on a per-project, per floodplain basis.
  - (f) Floodplain alteration is subject to the District's Wetland Alteration Rule F, as applicable.
  - (g) Structures to be built within the 100-year floodplain will have two feet of freeboard between the lowest floor and the 100-year flood profile.
  
4. **DRAINAGE EASEMENTS.**
  - (a) Before permit issuance, the permittee must submit a copy of any plat or easement required by the local land use authority establishing drainage or flowage over stormwater

management facilities, stormwater conveyances, ponds, wetlands, on-site floodplain up to the 100-year event, or any other hydrological feature.

- (b) Before permit issuance, the permittee must convey to the District an easement to the public drainage system specifying a District right of maintenance access over the right of way of the public drainage system as identified within the public drainage system record. If the right of way of the public drainage system is not described within the record, then the easement shall be conveyed with the following widths:
  - For tiled/piped systems, 40 feet wide perpendicular to the direction of flow, centered on the tile line or pipe;
  - For open channel systems, a width that includes the channel and the area on each side of the channel within 20 feet of top of bank. For adequate and safe access, where top of bank is irregular or obstruction exists, the District may specify added width.
  
- (b) Public Linear Projects are exempt from the public drainage system easement requirement of Section 4(b).

**5. REQUIRED EXHIBITS.** The following exhibits must accompany the permit application.

- (a) Site plan showing property lines, delineation of the work area, existing elevation contours of the work area, ordinary high water elevations, and 100-year flood elevations. All elevations must be reduced to NAVD 1988 datum. The datum must clearly be labeled on each plan set.
- (b) Grading plan showing any proposed elevation changes.
- (c) Determination by a professional engineer or qualified hydrologist of the 100-year flood elevation before and after the project.
- (d) Computation of change in flood storage capacity resulting from proposed grading.
- (e) Erosion and sediment control plan in accordance with District Rule D.
- (f) Other project site-specific submittal requirements as may be required by the District.