

# The Role of Local Governments in Floodplain Management

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Department of Ecology



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

# State of Washington Floodplain Laws

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- RCW Chapter 86.16: Floodplain Development Regulatory Requirements
- WAC Chapter 173-158: Floodplain Development Administrative Rules for Regulations
- RCW Chapter 86.15: Legal Authority for Local Flood Districts
- RCW Chapter 86.12: Flood Control By Counties
- RCW Chapter 86.26: State Participation in Flood Control Maintenance
- WAC Chapter 173-145: Administration of the Flood Control Assistance Account

# Definitions

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- **Floodplain:** Any land area susceptible to being inundated by water from any source.
- **Special Flood Hazard Area or FEMA floodplain:** The area that FEMA has mapped as having a one percent chance of being flooded in any given year.
- **Channel Migration Zone:** The area in which a stream channel moves and shapes the floodplain through time.

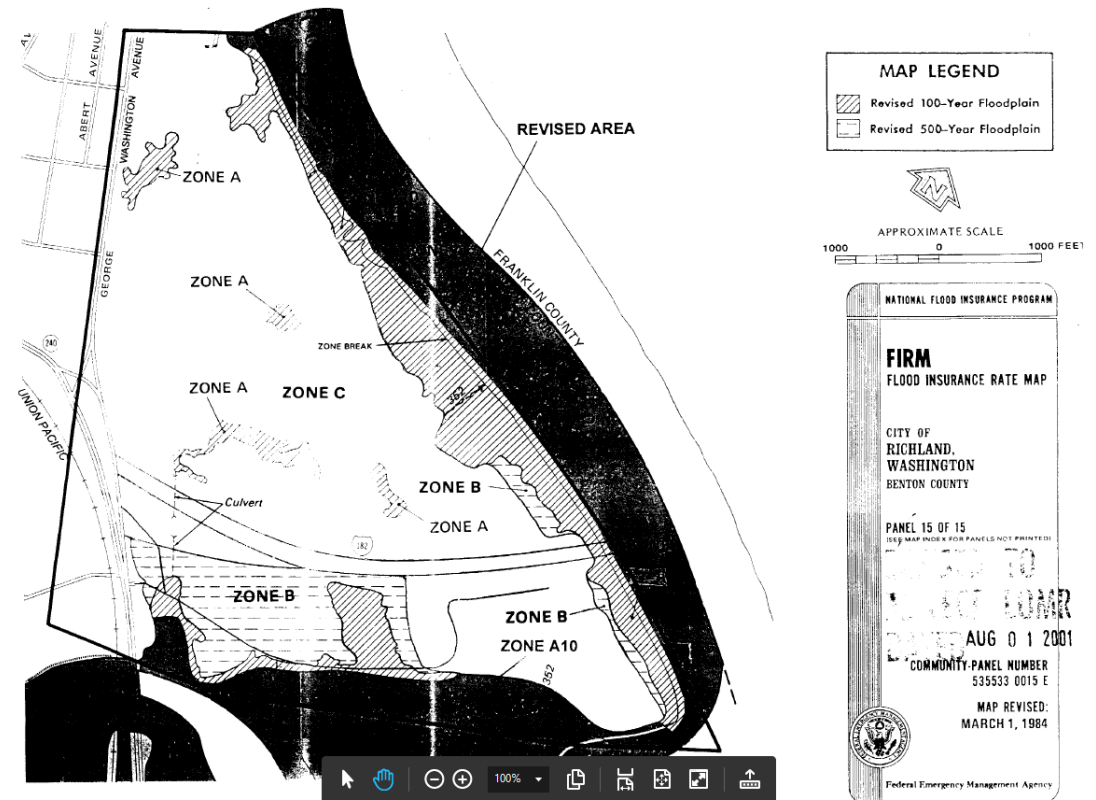
# Four Basic Parts to the NFIP

- Floodplain Mapping
- Floodplain Development Regulations
- Flood Insurance
- Hazard Mitigation Planning and Implementation



# NFIP Floodplain Mapping

- FEMA maps floodplains on a county by county basis
- Mapping is based on historic hydrology
- Climate change is not considered
- FEMA provides maps
- FEMA handles the appeal process for FEMA maps
- FEMA map updates take years to complete



# NFIP Regulatory System

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- Floodplain regulations from Code of Federal Regulations and state law
- NFIP is primarily concerned with how buildings are constructed
- NFIP standards do not cover infrastructure
- Limited concern about impacts to other property
- Regulations are not focused on environmental concerns



# Growth Management Act

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- [36.70A RCW: Growth Management Act](#)
- [365-190: Critical Areas](#)
- [WAC 365-190-110: Frequently Flooded Areas](#)

# Critical Area Ordinances and Frequently Flooded Areas

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- Washington's Growth Management Act (36.70A RCW) requires identification and regulations relating to Critical Areas, including Frequently Flooded Areas.
- The Growth Management Act (GMA) calls for periodic review and update of Critical Areas Ordinances (CAO).
- Frequently Flooded Areas are Critical Areas.
- As recommended in WAC 365-190-030(8), "Frequently flooded areas" are lands in the flood plain subject to at least a one percent or greater chance of flooding in any given year, or within areas subject to flooding due to high groundwater. These areas include, but are not limited to, streams, rivers, lakes, coastal areas, wetlands, and areas where high groundwater forms ponds on the ground surface.



# Frequently Flooded Areas Chapters are Based on Best Available Science

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- WAC 365-195-905 provides criteria to help assist communities in determining Best Available Science.
- The Department of Commerce has prepared a Critical Areas Guidebook (2018) that can assist local governments in preparing a CAO update, including that for frequently flooded areas.
- The Critical Areas Guidebook is found at the Washington State Department of Commerce, Growth Management Services website.

# Flood Risk Reduction Beyond FEMA Minimums

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## Additional Freeboard



## Restrict Development in Floodways and CMZs



# Additional Considerations

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- Dual Purpose Frequently Flooded Area Chapter and Flood Damage Prevention Ordinance (NFIP Ordinance).
- Discuss dual purpose ordinances with your Regional Floodplain Management Specialist.
- Need for internal consistency between Frequently Flooded Area Chapter and Flood Damage Prevention Ordinance (NFIP Ordinance).

# Combined CAO/NFIP Ordinance

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- **PROS**

- Floodplain regulations located in one place
- Can better address associated environmental issues

- **CONS**

- Need to be able to clearly distinguish NFIP requirements from critical area requirements
- More complex
- Still need to address FEMA concerns

# How Floodplain Regulations Can Support Floodplain Management

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- **NFIP Regulations**

- Creates building standards
- Higher standards possible
- Identifies engineering standards
- Floodway standards
- Well established structure
- Aligned with building codes

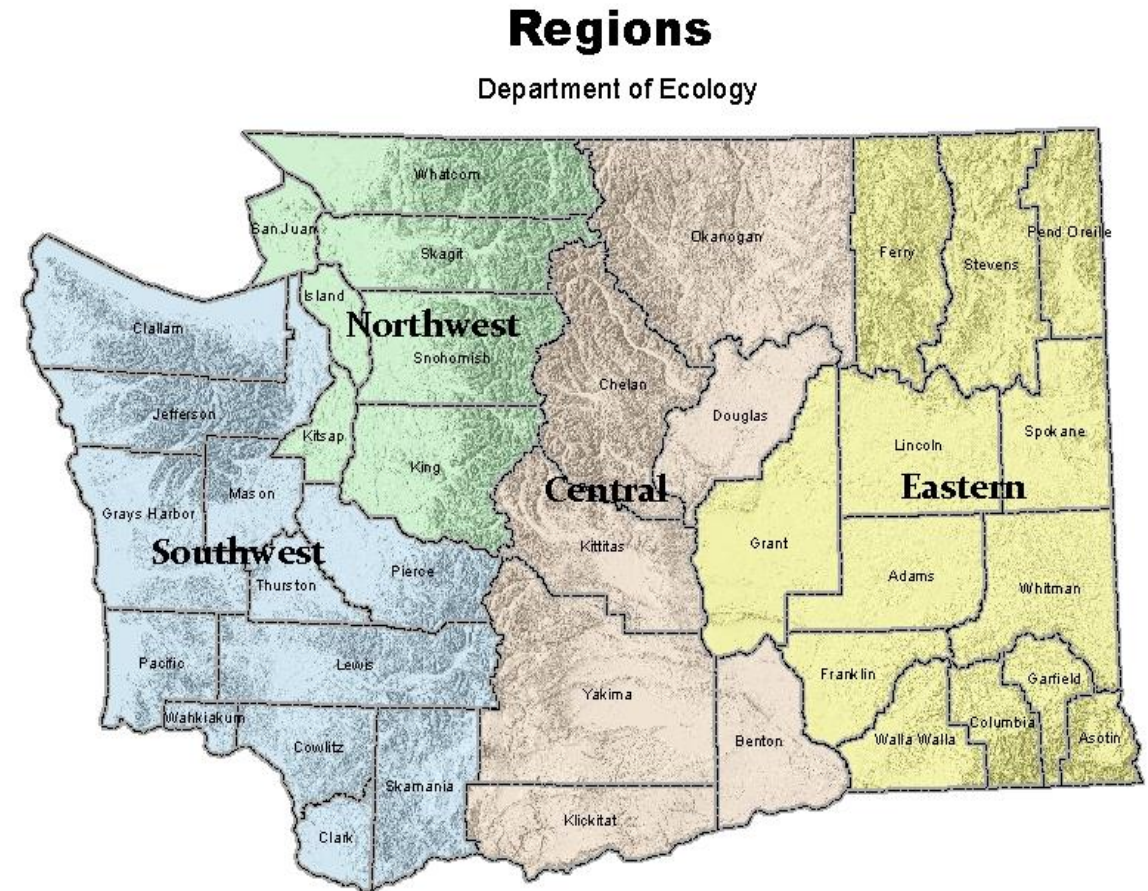
- **Critical Area Regulations**

- Address climate change
- Higher standards
- Can map additional flood hazard areas
- Address channel migration
- Integrate with natural habitat concerns

# Department of Ecology

## Regional Floodplain Management Specialists

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# Questions?

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