

Floodplain Development Permit Checklist for Floodplain Managers

Do You Need a Floodplain Development Permit?

1. Does the proposed activity or development (as defined in 59.1 in title 44 of the U.S Code of Federal Regulations) involve any man-made changes to improved or unimproved real estate, including but not limited to;

- Buildings or other structures
- Mining, drilling, dredging, or excavation
- Grading, paving, or storage of equipment or materials
- Alterations of a structure through additions, demolition, and remodeling
- Construction of fences or retaining walls
- The movement or placement of remanufactured or mobile homes, campgrounds, storage of equipment, vehicles, or materials (storage yards, salvage yards)

2. If you checked any of the boxes above, is any part proposed development or project located within a *Special Flood Hazard Area*? Use your community's Flood Insurance Rate Map (FIRM) or look up the information online: <https://msc.fema.gov/portal/home>


Determine the flood zone below, more information can be found [here](#) regarding each zone.

A Floodplain Development Permit is required for the following *riverine* Special Flood Hazard Areas:

- A  AE  AH  AO 

- A1-A30(shaded gray): treat like an AE zone, but it may or may not have a floodway


No Floodplain Development Permit is required. Follow best practices by using The National Flood Insurance Technical Bulletins located [here](#).

- X-shaded or Zone B  X-unshaded or Zone C (no color)

A Floodplain Development Permit is required for the following *coastal* Special Flood Hazard Areas:

V  VE 

V1-30(shaded gray): treat like an VE zone

*Floodway  (red & blue cross-hatching on National Flood Hazard Layer, paper maps may be identified differently)

“[Flood Encroachment analysis](#) is required to determine that the development would not increase flood levels within the community. (i.e No-Rise) You may also need a Conditional Letter of Map Revision ([CLOMR](#)), which is a pre-proposed project review to obtain FEMA’s official comment and then followed by a Letter of Map Revision ([LOMR](#)) to update the Flood Insurance Rate Map. Always be sure to review your community ordinance and feel free to contact your State Coordinator for any assistance you may need.

Based on the flood zone that you checked above use your community’s ordinance or the Code of Federal Regulations ([44CFR](#)) to see what requirements are required. (If your community’s ordinance is more restrictive, then those requirements will prevail.)

If your community has no Flood Insurance Rate Map (FIRM). A Floodplain Development Permit is required for *all* development in your community. Follow best practices by using The National Flood Insurance Technical Bulletins located [here](#).

The Floodplain Development Permit Application

Once you've determined the need for a floodplain development permit, now is the time to process a [floodplain development permit application](#).

It's important that the applicant fill out every detail of the floodplain development permit. Often floodplain development permits have critical information missing. In particular, please check the following:

- Name and signature of applicant (page 1)
- Owner and Contractor/Developer Information (page 2)
- Project Overview Information (page 2)
 - Address of Proposed Project
 - Legal Description of Proposed Project
 - Latitude and Longitude of Proposed Project
 - Description of Project with Plans Attached
 - Estimated Cost of Project (important for substantial improvement)
- Base Flood Elevation (BFE)
- Elevation of Lowest Floor
- Flood Encroachment Analysis Report and No-Rise Certification (if applicable)

Does the proposed development meet minimum National Floodplain Management standards? To be sure, refer to your community ordinance to see what your minimum requirements are. Another great resource is The National Flood Insurance Technical Bulletins located [here](#). Technical Bulletins provide guidance for complying with the NFIP's building performance requirements contained in Title 44 of the U.S Code of Federal Regulations at 60.3 of floodplain management criteria for flood-prone areas.

- Are the construction materials and methods resistant to flood damage?
- Are the utilities flood-proofed or flood-resistant or anchored?
- Is the electrical flood-proofed or flood-resistant
- Manufactured homes elevated on permanent foundations or anchored
- Assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law including section 404 from the Army Corps. Some of those permits may include:

- Stream Alteration Permit (404): Required for doing any work in the Nation's navigable waters. <https://www.usace.army.mil/missions/civil-works/Regulatory-Program-and-permits/Obtain-a-Permit/>
- Endangered Species Act (ESA) of 1973 [60.3 (a)(2)]
 - <https://www.fws.gov/sites/default/files/documents/endangered-species-act-accessible.pdf>
 - <https://www.epa.gov/laws-regulations/summary-endangered-species-act>
 - FRESH Mapping Tool <https://www.fema.gov/floodplain-management/wildlife-conservation/fresh-mapping-tool>
- Other permits may include:
 - Grading Erosion, Sediment Control (GESC) permits, local Building permits, and Historic Preservation

Additional documents that may be required with the application:

- FEMA [Elevation Certificate](#) with pictures attached to it
- [Floodproofing Certification](#) (non-residential only)
- Analysis of the development of the BFE (if necessary), how was the BFE calculated?
- [Flood Encroachment Analysis Report and No-Rise Certification](#) (if applicable)