



## OSAGE COUNTY EMERGENCY MANAGEMENT AGENCY

### FLOODPLAIN MANAGEMENT FACT SHEET

#### *(WATERFRONT RELATED DEVELOPMENT)*

#### **Am I allowed to build a boat dock or seawall in the Special Flood Hazard Area (SFHA)?**

The National Flood Insurance Program (NFIP) does not prohibit the use of your private property. It only sets standards to meet to protect development on your property from flood damage. So development along a river, stream, creek or lake is permissible under the NFIP as long as the requirements of the floodplain management ordinance are met.

#### **Are the NFIP requirements for this type of development different than building a structure?**

No. The NFIP requirements are the same for all designated SFHA's on the Flood Insurance Rate Map (FIRM). Therefore, since you are building in a NFIP flood risk zone that begins with the letter "A", you are going to need a Floodplain Development Permit (FPDP) issued by the County. If your waterfront development is also located within a Regulatory Floodway, then you will need to provide a "No-Rise" certificate based upon a hydraulic analysis performed by a licensed professional engineer in the State of Missouri, before the County can issue the FPDP. *See the fact sheet titled "Development in the Regulatory Floodway" for more information on this process and certification.*

#### **Does the NFIP prohibit commercial development such as food or gas retailers?**

No, the NFIP does not prohibit these types of services, or other possible retail activities not specifically listed here, from being offered along the waterways in SFHA's. However they still need to meet the appropriate development standards of the NFIP. Since these are commercial enterprises they will have the option of floodproofing which is not allowable for residential structures. *See the fact sheet titled "Non-Residential Structures in the Floodplain" for more information on the floodproofing requirements and supporting documents.*

#### **Does the NFIP regulate the type of dock I can build?**

No. It can be a permanent fixed structure at a set dock deck elevation that does not change with the river or lake water levels. It can be a permanent floating dock anchored with piers or other permanent structural support with a dock deck that raises and lowers with the changing water levels. Or it can be a completely floating dock deck with guide anchors connected to the shore, or the river/lake bed, that is removed each winter. All three types of docks would require a FPDP. If all three types of docks were also going to be located within a Regulatory Floodway they would also all require a "No-Rise" certificate as well before the FPDP can be issued. Some removable floating docks are not appropriate for rivers and streams because of the high velocity currents associated with rivers in a Regulatory Floodway. If it is going to be left in the lake, or river/stream, during a flooding event, it will need to be shown (certification by a professional engineer or other responsible design professional) prior to the issuing of the FPDP, that it will not float away and cause damage to other private or public property.

### **What about Seawalls or other erosion protection devices like Rip-Rap?**

Once again, placing seawalls or rip-rap will require a FPDP to be issued by Osage County prior to the placement of the material. If this development is in a Regulatory Floodway, a hydraulic analysis performed by a professional engineer will need to be submitted prior to being issued a FPDP by Osage County.

### **Do I need any other permits for the type of developments discussed here?**

Yes, you might. For development in and along the “navigable waters” of the inland waterways of the United States, the Kansas City District of the Army Corps of Engineers will also need to review your project. Don’t be fooled by the term “navigable waters” mentioned above. The reason it is in quotes is because it might not mean exactly what you might envision it to mean. But it is the phrase used by the Army Corps of Engineers when determining if a particular stream, creek, river, or wetland is going to require a federal Corps permit for the proposed marine development. So “navigable waters” does not necessarily mean it is big enough that you might see a barge tug working on it, it is possible that you can float a canoe in it and be considered to be part of the “navigable waters” of the United States. For more information about the Army Corps of Engineers permit program please call the Kansas City office at 816-389-3825, or 3833, or 3834, or 3835.

It is also sometimes possible that once the federal Corps permit requirements are triggered that a State of Missouri Department of Natural Resource (DNR) permit will also be necessary. For more information about DNR permits please call 573-751-7023 or 573-526-4586.

### **I see you also listed “wetlands” in the above answer; does the NFIP permit wetland development too?**

Not exactly. Development in Corps defined wetlands falls under the same permitting requirements as all development in the SFHA. In other words, there are no special NFIP requirements for development in Corps defined wetlands. Only the Army Corps of Engineers has additional requirements for development in a Corps defined wetland.