

Foster County Floodplain Information

Foster County has several identified floodplains. If you are receiving this packet, your property is located within the floodplain, near a floodplain, or a permit for fill has been submitted.

Development in a Special Flood Hazard Area must be done in compliance with local, state, and federal requirements to ensure that flooding is not increased in other areas and that construction, including utilities, is completed in a manner that reduces the potential for flood induced damage on the property.

The application consists of the information the applicant will need to submit in the form of a checklist and the permit to be filled out by the floodplain administrator once the completed applications is received and approved.

For more information on building in a floodplain or to print off your Flood Insurance Rate Map (FIRM):

- Ask your local Floodplain Administrator
 - Emergency Manager – call or email – 701.652.2252 or jdearle@nd.gov
 - Please provide the property address, city, and legal description of lot to be developed
- FEMA Map Service Center
 - <https://msc.fema.gov/portal/advanceSearch>
 - State: ND County: Foster Community: your location (Carrington, Grace City, Glenfield, McHenry) or search by FIRM Panel - 38031CIND0A – Foster County; 38031C0100A – James River, Foster County; 38031C0125A – Grace City/Juanita Lake; 38031C0150A – Juanita Lake; 38031C0325A – Unincorporated near 81st Ave NE North of 200; 38031C0525A – Arrowwood National Wildlife Refuge
- Failure to obtain a floodplain permit and developing in a floodplain may impact your insurance and can violate local, state, and federal ordinances and regulations. You may be charged and convicted of a B misdemeanor which may result in up to 30 days in jail and/or a fine of up to a \$1,500.

Definitions:

Base Flood Elevation (BFE) – the water surface elevation rounded to the nearest foot, of the 1% flood event at a specific location. Juanita Lake Base Flood Elevation, as determined by FEMA, is **1465.2**

FEMA – Federal Emergency Management Agency

Fill – Any material brought onto the site or removed from the site to increase or decrease shoreline

Floodplain – Any land area susceptible to being inundated by floodwaters from any source

No Rise Certificate – A certificate from a professional engineer that states there will be no rise in flood elevation within the floodway (channel of a river or other watercourse and the land adjacent land areas) If fill is added or removed, this certificate is required.

Elevation Certificate – Must be filled out by the engineer or an architect authorized by law to certify elevation information – this document certifies that the structure is elevated properly

Substantial Improvement – Improvements that will increase the structures market value by 50% or more

Permit Provisions:

- **No work can be started before obtaining a floodplain permit**
- This permit will be revoked if found to be falsified in any way; a new permit must be applied for if permit is revoked.
- This permit will expire if no substantial work (50% or more) has been done within one year of issuance:
 - Unless weather or other hardships occur – the applicant must inform the Planning and Zoning Board of the construction delay before the permit expires.
 - If the original permit expires, a new permit will be required.
- Other permits may be required to fulfill local, state, and federal regulatory requirements.
- Applicant gives consent to the local administrator or assigned representatives to make reasonable inspections to verify compliance.

- The No Rise and Elevation Certificate are attached to this application for the engineer to fill out.
- The lowest level of any structure, including basements or crawlspaces, must be built to the following elevations or higher:
 - residential structures must be one foot above BFE, nonresidential structures must be two feet above BFE, or, the lowest level must be adequately floodproofed (non-residential construction only) as determined by a Professional Engineer (PE) or architect
- Penalties for non-compliance:
 - Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violations on conditions and safeguard established in connection with grants or variances or conditional uses, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof be punished by a fine not exceeding \$1,500 or by imprisonment of up to thirty days for each such offense, and in addition shall pay cost and expenses involved in the case.
 - Violations must be addressed by submitting a plan to mitigate the violation within 90 days. The plan must include a completion date. Failure to correct the violation by the completion date stated in the plan will result in additional charges. If the original one-year permit period expires, another permit will be required.

Floodplain Development Application

Location of Development Site

Owners Name: _____

Address: _____

Phone Number: _____ Mailing Address: _____

Legal Description:

Please include:

- A map that shows the location of the project and orientation (north arrow)
- Drafts to scale of the plans for the development
- No Rise Certificate by a registered Professional Engineer
- A written narrative describing the proposed development and the intended use of the property.
- Application fee
- Complete the application – incomplete applications will be returned

Permit Conditions:

- ✓ The lowest level floor (including basement) of any new or substantially improved building will be elevated one foot above the BFE for residential and two feet above the BFE for non-residential (**1465.2** for Juanita Lake)
- ✓ No Rise Certificate by a registered professional engineer
- ✓ An Elevation Certificate from a registered professional engineer
- ✓ All new or replacement utilities will be designed and located to eliminate flood damage, contamination, and hazards
- ✓ All equipment, material, and debris will be anchored or removed prior to any flooding
- ✓ Anchoring to resist flotation, collapse, and lateral movement will be used
- ✓ Must comply with the 50-foot structure setback in the Juanita Lake Ordinance
- ✓ Must comply with the Juanita Lake & County Floodplain Ordinance

Applicant:

Office Use Only

Date:

Permit #:

Floodplain Development Application

Description of Work:

Please check all that apply:

Residential Structure:

- New Structure
- Demolition
- Addition to Structure
- Substantial Improvement (50% or more)
- Renovation/Repairs/Maintenance
- Manufactured Home Installation

Dimensions: _____

- Filling or Grading
- Materials/equipment Storage:
Describe Type: _____
- Utilities:
 - Water
 - Sewer
 - Electricity
 - Propane
 - Other: _____
- Other: _____

Non-Residential Structure:

- Road/Driveway
- Other
- Levee
- New Structure
- Demolition
- Addition to Structure
- Renovation/Repairs/Maintenance

Dimensions: _____

- Filling or Grading
- Materials/equipment Storage: Describe
Type: _____
- Utilities:
 - Water
 - Sewer
 - Electricity
 - Propane
 - Other: _____
- Other: _____

Please add additional comments here:

*I, the applicant, have reviewed the above conditions and agree with the terms in the document.
To the best of my knowledge, I, the applicant, certify that all statements herein and attachments
to this application are true and accurate.*

Applicant Signature: _____

Date: _____

Applicant Name Printed: _____

Applicant:

Office Use Only

Date:

Permit #:

Floodplain Development Permit

This form to be completed by the Floodplain Administrator

This permit is issued based on the documentation that was submitted by the applicant _____ to the Floodplain Administrator and the Foster County Planning and Zoning Board. This permit shows the applicant compliant with Foster County Floodplain Ordinance.

Address: _____

Description of development activity: _____

The permittee understands and agrees that:

- An Elevation Certificate has been submitted to the Floodplain Administrator after the first floor of a new, substantially improved, or substantially damaged, residential or non-residential structure is constructed;
- The permit is issued on the representations made herein and on the application for permit;
- This permit will be revoked because of any breach of representation;
- Once a permit is revoked, all work shall cease until the permit is reissued or a new permit is issued;
- This permit will not grant any right or privilege to erect any structure or use any premises described for any purposes or in any manner prohibited by the codes or regulations of the community;
- The permittee hereby gives consent to the Floodplain Administrator to enter and inspect activity covered under the provisions of the Floodplain Management Regulations;
- The permit form will be posted in a conspicuous place on the premises in plain view; and,
- The permit will expire if no substantial work (50% or more) is commenced within one year of the issuance.

Issued by: _____

Date: _____

Permit #: _____

Community Name: _____

Panel Number: _____

Base Flood Elevation: **1465.2**

Required Lowest Floor Elevation: _____

Applicant:

Office Use Only

Date:

Permit #: