**MEMO**

**TO:** IRFWCD Board of Supervisors

**FROM:** David Gunter, IRFWCD Superintendent

 Paul Amos, IRFWCD Attorney

George A. Simons, P.E., Carter Associates, Inc. (CAI), IRFWCD Engineer

**RE:** IRFWCD – Clarifications Regarding: August 17, 2005 Memo, and October 13, 2020 Memo regarding the Flood Plain Cut and Fill Policy for the 100 Year Storm Event

**DATE:** January 6, 2023

The following is a proposed change concerning the acceptable methods to satisfy the “IRFWCD Connection to District” permit review criteria to address the maintenance of the 100yr flood plan storage criteria for proposed development projects. This applies for both project areas designated on FEMA Maps as flood zones and other IRFWCD areas that are inundated by the 100-year flood as determined by the IRFWCD Stormwater model, (Reference – IRFWCD Memo Dated October 13, 2020).

The IRFWCD adopted the maintenance of flood plain criteria in 2005 as memorialized in the August 17, 2005 Memo. Paragraph A.7 on this Memo prohibited previously approve projects from being utilized to compensate for flood storage for future developments. This proposed permitting policy change provides for a limited use of excess flood plain storage capacity on previously approved projects as follows,

1. Paragraphs A.1 – A.6 from the 2005 Memo are addressed.
2. The project Engineer of Record has exhausted all efforts to achieve the maintenance of the 100-year flood storage on-site.
3. The new rule would allow a landowner / developer to acquire existing excess flood plain storage from a previously approved project if the following requirements are met,
	1. The IRFWCD staff reviews and accepts the amount of excess storage available
	2. A recorded drainage easement between the two parties with an acceptable sketch and description of the location of the excess flood plain storage is provided.
	3. The existing excess flood plain storage must be within the same drainage basin and the modeled 100yr storm peak stage is within 0.1 foot

The developer / engineer is strongly encouraged to include the IRFWCD maintenance of flood plain storage requirement as part of due diligence and addressed in the project’s initial design prior to applying to SJRWMD for an ERP.