



KENAI PENINSULA BOROUGH

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**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

TO: Linda Murphy, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Mike Navarre, Mayor *MN*
Max Best, Planning Director
Gary Williams, River Center Manager *(Signature)*

FROM: Dan Bevington, Floodplain Administrator *DB*

DATE: June 20, 2013

SUBJECT: Ordinance 2013- 29, amending KPB code to satisfy National Flood Insurance Program requirements and removing the sunset date for the Seward Mapped Flood Data Area (SMFDA)

This ordinance is offered to meet requirements for continued good standing in the National Flood Insurance Program (NFIP). These changes must be adopted prior to the September 27, 2013, effective date of the updated FEMA flood insurance rate maps within the Seward-Bear Creek Flood Service Area.

The amendments proposed in this ordinance are the minimum necessary changes referenced in a letter dated June 14, 2013 by FEMA's mitigation branch chief, and as specified by FEMA Region X's NFIP Specialist.

One additional change reflects the fact that there are areas of known flooding that put our residents' properties at risk, but that haven't been included in the proposed new flood insurance rate maps. This area has been identified previously as the Seward Mapped Flood Data Area (SMFDA). This area, administered under KPB 21.06.045, is presently set to lapse with adoption of the proposed new flood insurance rate maps. This ordinance would remove that expiration date. The community has had opportunities to discuss this matter on numerous occasions, and the Seward-Bear Creek Flood Service Area Board has recommended continued administration of the SMFDA standards, which does not include any areas subject to an effective flood insurance rate map.

Notice of these changes have been presented to the Assembly previously by the borough's floodplain administrator, and with the community at various venues.

The best interests of the borough are served by amending the borough code in order to maintain good standing with the NFIP, adopt the new FIS and associated flood maps, and remove the expiration clause for the Seward Mapped Flood Data Area. These amendments will help assure that the borough receives continued federal disaster assistance when needed, federal hazard mitigation grants, federally subsidized mortgages, and individual homeowner flood insurance for any borough resident under this program.

As a housekeeping measure the definitions section is repealed and reenacted in a new section. It is currently not in alphabetical order which it should be for staff and public ease of reference. Additionally, the following definitions are added: "exception," "logging," "substantial damage." Additionally, the standards for logging and fuel tanks contained in KPB 21.06.055 are repealed and more appropriately relocated to KPB 21.06.050 which sets forth the standards for various activities in the floodplain.

Your approval of this ordinance is respectfully requested.