

**Indiana Department of Natural Resources / Division of Water
Floodplain Analysis and Regulatory Assessment**

File Number: GN-30858-0
Request Date: 01/22/2015
County: Porter
Waterbody: Dunes Creek

402 West Washington Street, Room W264
Indianapolis, IN 46204-2641
Telephone: (317) 232-4160 or (877) 928-3755
Fax: (317) 233-4579 Website: www.in.gov/dnr/water


Site Location: At the existing Indiana Dunes State Park beachfront pavilion along the left (west) bank of Dunes Creek; approximately 300' upstream of the Dunes Creek confluence with Lake Michigan, Westchester Township, Section 13, Township 37N, Range 6W

Base Flood Elevation (BFE): 584.7 Feet (NAVD88) Source: Limited information

Additional Waterbody Information

- The Base Flood Elevation (BFE) is controlled by Lake Michigan.

Floodplain Mapping Indicators

 Special Flood Hazard Area: The Special Flood Hazard Area (SFHA) is the land subject to the 1% annual chance flood. The 1% chance flood, also known as the base flood, has a 1% chance of being equaled to or exceeded in any given year. Land in the Special Flood Hazard Area (SFHA) is considered to have a high flood risk. Land outside the Special Flood Hazard Area (SFHA) is considered to have a low to moderate flood risk. Flood insurance is required by FEMA for any building in a mapped Special Flood Hazard Area (SFHA) that has a federally backed mortgage.

Special Information

Division of Water Permitting

- Any natural ground levels that have an elevation lower than the Base Flood Elevation (BFE) are considered floodway area. Based on new detailed topographic data obtained from the 2011-2013 Indiana Statewide LiDAR, it appears that the Lowest Adjacent Grade (LAG) of the existing pavillion and the natural ground elevations of the proposed banquet center and the proposed comfort center are higher than the Base Flood Elevation (BFE). Therefore assuming the 2011-2013 Indiana Statewide LiDAR is accurate, the project does not require a permit under the Flood Control Act.

If additional detailed survey data proves that the natural ground elevations at the construction site is lower than the Base Flood Elevation (BFE), prior written approval from IDNR, Division of Water is required for any construction in the floodway area including an obstruction, fill, excavations, or the construction of a building. New non-residential buildings proposed in the floodway are required to be constructed at least 2 feet above the Base Flood Elevation (BFE).

Furthermore, local floodplain ordinances may require that the lowest floor of a new building or an addition to an existing building proposed on natural ground elevations lower than the Base Flood Elevation be elevated at least 2 feet above the Base Flood Elevation (BFE). See information under Additional Permitting Agencies on Page 3 of this document.

Flood Insurance

- Under the federal regulations of FEMA, the National Flood Insurance Program (NFIP) requires the purchase of flood insurance on buildings in the Special Flood Hazard Area (SFHA) that have a federally backed mortgage. The final decision regarding flood insurance is left to the mortgage lending institution.

See Map Change Instructions on page 2 of this document for information on Letter of Map Amendment.

Map Change Instructions

- If the property owner wishes to have the federal requirement to purchase flood insurance waived, they must prove that 1) the structure or property is on natural ground levels with an elevation higher than the base flood elevation (BFE); or that 2) the structure or property is located outside of a mapped Special Flood Hazard Area (SFHA). If one of those conditions exists, the property owner can apply for a Letter of Map Amendment (LOMA) from the Federal Emergency Management Agency (FEMA). A LOMA is a letter which allows a mortgage lender to waive federal flood insurance requirements by stating that an existing structure, property, or portion of a property that has not been elevated by fill is not located in the Special Flood Hazard Area (SFHA).

If the structure or property is located inside of the Special Flood Hazard Area (SFHA), the property owner may apply for a Letter of Map Amendment (LOMA) if it can be demonstrated that it is located on natural ground levels with an elevation higher than the Base Flood Elevation (BFE). Specific elevation information must be submitted with the Letter of Map Amendment (LOMA) application, typically documented by a licensed surveyor or registered engineer.

Visit www.fema.gov/online-lomc to submit a Letter of Map Amendment (LOMA) application online or to obtain the Letter of Map Amendment (LOMA) application form, instructions, and Elevation Certificate form. These can also be obtained by contacting FEMA toll free at 1-877-336-2627. There is no fee for a Letter of Map Amendment (LOMA) application, although fees may be associated with hiring a surveyor to obtain the elevation information for the Elevation Certificate.

If the Letter of Map Amendment (LOMA) is issued by FEMA and the mortgage lender accepts the Letter of Map Amendment (LOMA) determination, the property owner may be reimbursed up to one year of flood insurance payments. Be aware that regardless if FEMA issues a Letter of Map Amendment (LOMA), the mortgage lender has the final decision regarding flood insurance requirements.

This Floodplain Analysis and Regulatory Assessment is not a building permit, approval of any project, or a waiver of provisions of local or zoning ordinances. Additionally, projects must comply with all other applicable federal, state, and local permit requirements.

If you have any questions concerning this letter, please contact Andrea Gromeaux-Schnaith at (317) 233-5636.



Andrea Gromeaux-Schnaith

02/03/2015

Copies Sent To: Dan Bortner (Property Owner Contact), Terry Coleman (Property Owner Contact Secondary), Steve Davis (Lake Michigan Specialist), Marian England (Requestor), Dale A Gick (Interested Party), Mr. Bob Thompson (Floodplain Administrator)

Attachments: Frequently Asked Questions 2014.pdf, GN-30858 DNR Floodplain Map.pdf

Additional Permitting Agencies

- **Local Ordinances / Permitting:** For proposed construction on this tract, you may also be required to obtain permits from the local floodplain administrator. Construction permitting by local government entities is independent of the State's permitting authority.

Discrepancy between Mapped Floodplain and Actual Ground Elevations: In cases where there is a discrepancy between the mapped Special Flood Hazard Area (SFHA) and the actual ground elevations, the natural ground elevation shall govern. If the elevation of the site in question is below the Base Flood Elevation (BFE), that site should be included in the Special Flood Hazard Area (SFHA) and regulated accordingly by the local floodplain ordinances. If the natural grade elevation of the site in question is above the Base Flood Elevation (BFE) and not located within the floodway, that site should be considered outside the Special Flood Hazard Area (SFHA) and the local floodplain regulations may not be applied. Consult your local floodplain administrator.

In addition, the project may require permits from or coordinate with the plan commission, zoning office, and county drainage board.

Indiana Department of Environmental Management: You may also be required to obtain construction permits from the Indiana Department of Environmental Management. Call (317) 233-8488 or (800) 451-6027 or visit their webpage at www.in.gov/idem.

U.S. Army Corps' of Engineers: You may have to obtain a permit from the Corps of Engineers under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act. Information relative to the Corps' of Engineers permits may be obtained by contacting:

U.S. Army Corps of Engineers, Chicago District Office, Regulatory Branch
231 South LaSalle Street, Suite 1500, Chicago, Illinois 60604 Telephone: (312) 846-5539

Contacting these agencies is your responsibility.