



Federal Emergency Management Agency

Washington, D.C. 20472

MAR 24 1993

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
Case No.: 93-08-032P

The Honorable James Lee
Chairman, Barnes Township Board
of Supervisors
6006 40th Avenue South
Fargo, North Dakota 58104-6006

Community: Township of Barnes,
North Dakota
FIRM Panel Number: 380256 0005 B
FBFM Panel Number: 380256 0005

102A

Dear Mr. Lee:

This is in response to your letter dated November 5, 1992, regarding the effective Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) for the Township of Barnes, North Dakota. In your letter, you requested that we revise the effective FIRM and FBFM to show the effects of the construction of the Horace to West Fargo Diversion Channel (HWFDC) and the levees on both sides of the diversion channel along the Sheyenne River. In support of your request, Mr. Jeffry J. Volk, Project Engineer, Moore Engineering, Inc., submitted data with his letters dated November 20, 1992, January 21, 1993, February 19, 1993, and February 24, 1993. In addition, Mr. Fred Selberg, Chairman, Southeast Cass Water Resource District, submitted data with his letter dated December 31, 1992. A Conditional Letter of Map Revision (CLOMR) for the effective Flood Insurance Study (FIS), FIRM, and FBFM for the Township of Barnes was issued on November 22, 1991. The CLOMR was based on the proposed construction by the U.S. Army Corps of Engineers of the HWFDC as a part of their Sheyenne River Flood Control Project.

Because this Letter of Map Revision (LOMR) is for public benefit as specified under Section 72.5 of the National Flood Insurance Program (NFIP) regulations, fees were not assessed for the Federal Emergency Management Agency's (FEMA's) review.

We have completed our review of the submitted data with regard to the data used to produce the effective FIRM and FBFM, and have revised the FIRM and FBFM to modify the elevations, floodplain boundary delineations, floodway boundary delineations, and zone designations of a flood having a 1-percent probability of being equaled or exceeded in any given year (base flood) along the Sheyenne River from County Road 6 to approximately 9,000 feet north of County Road 8.

The Special Flood Hazard Area (SFHA) along this portion of the Sheyenne River has decreased. The undiverted flow will be contained within the channel banks of the Sheyenne River. The levee located on the east side of the HWFDC is designed to protect the Township during the 100-year flood. The levee on the other side of the HWFDC is designed to contain the 100-year discharge within the channel, but does not have sufficient freeboard to provide protection from the 100-year flood.

The modifications are shown on the enclosed annotated copy of FIRM Panel 380256 0005 B and FBFM Panel 380256 0005. This LOMR hereby revises these panels of the effective FIRM and FBFM, both dated September 27, 1985.

We are now incorporating the modifications described in this LOMR into FIRM Panel 380256 0005 B and FBFM Panel 380256 0005 as a physical map revision. We will also include all modifications to the FIS text as part of the physical map revision. These modifications include the deletion of the Floodway Data Table and Flood Profile for the Sheyenne River in the FIS.

These modifications have been made pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (P.L. 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, P.L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR, Part 65.

As required by the legislation, a community must adopt and enforce floodplain management measures to ensure continued eligibility to participate in the NFIP. Therefore, your community must enforce these regulations using, at a minimum, the base (100-year) flood elevations, zone designations, and floodways in the SFHAs shown on the FIRM and FBFM for your community, including the previously described modifications.

This response to your request is based on minimum floodplain management criteria established under the NFIP. Your community is responsible for approving all proposed floodplain developments, including this request, and for ensuring that necessary permits required by Federal or State law have been received. With knowledge of local conditions and in the interest of safety, State and community officials may set higher standards for construction, or may limit development in floodplain areas. If the State of North Dakota or the Township of Barnes has adopted more restrictive or comprehensive floodplain management criteria, these criteria take precedence over the minimum NFIP requirements.

The basis of this LOMR is a channel-modification project. NFIP regulations, as cited in Paragraph 60.3(b)(7), require that communities assure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained. This provision is incorporated into your community's existing floodplain management regulations. Consequently, the ultimate responsibility for maintenance of the channel modification rests with your community.

The community number and suffix code listed above will be used for all flood insurance policies and renewals issued for your community on and after the effective date listed above.

The modifications described herein are effective as of the date of this letter. However, a review of the modifications and any requests for changes should be made within 30 days. Any request for reconsideration must be based on scientific or technical data.

This LOMR will not be printed and distributed to primary map users such as local insurance agents and mortgage lenders; therefore, your community will serve as a repository for these new data. We encourage you to disseminate the information reflected by this LOMR widely throughout your community in order that interested persons, such as property owners, insurance agents, and mortgage lenders, may benefit from this information. We also encourage you to consider preparing an article for publication in your community's local newspaper that would describe the changes that have been made and the assistance your community will provide in serving as a clearinghouse for these data and interpreting NFIP maps.

If you have any questions regarding the modifications described herein, please contact the Chief, Natural and Technological Hazards Division, FEMA, in Denver, Colorado, at (303) 235-4830, or Mr. John Magnotti of my staff in Washington, DC, at (202) 646-3932, or by facsimile at (202) 646-3445.

Sincerely,

Matthew B. Miller for

William R. Locke
Chief, Risk Studies Division
Federal Insurance Administration

Enclosures

~~cc: Mr. Jeffrey J. Volk~~
Project Engineer
Moore Engineering, Inc.

Mr. Fred Selberg
Chairman, Southeast Cass
Water Resources District

