



GEM COUNTY DEVELOPMENT SERVICES DEPARTMENT
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OFFICE OF THE ADMINISTRATOR

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BUILDING IN THE FLOODPLAIN

Informational Notice

October 2016



**Gem County Island Sports
Complex - 2010**



**Agricultural structure & fencing
along the banks of Squaw Creek -
Sweet, Idaho - March 2011**



Dear Gem County Floodplain Property Owner:

You are receiving this letter because you own property that is located either within or near the 100-Year Floodplain of the Payette River or Squaw Creek. So, what does that mean for you? Please read on. . .

Overview

Gem County features one primary river as well as smaller tributaries, or creeks, which are susceptible to annual flooding events that pose threats to life and safety and cause significant property damage. The Payette River is the primary waterway that courses from east to west through the county, while tributaries include Squaw Creek, Haw Creek and other man made sloughs. Gem County has just over 200 individual parcels that are partially or entirely located within the 100-year floodplain. Snow melt and early spring run-off (especially on fire-scarred lands) contribute to flooding, and ongoing development within the County continues to displace natural areas that have historically functioned as flood storage.

The flood seasons of the past 7 years have given Gem County residents a vivid reminder that, even though we live in a semi-arid, dry region with less than 12 inches of annual precipitation, floods still happen. It's an easy reality to forget, especially during the dry, summer season when river water is diverted into irrigation canals and water levels in the streams drop – often to barely a trickle. And when several years in a row pass without the Payette, local creeks or sloughs over-topping their banks, it can almost seem silly to raise building pad sites or build so far away from the river or stream bank. But when water levels rise and the flood risk is high – as inevitably happens – those property owners who took cautionary measures breathe a sigh of relief when their building remains dry. Others wish they would have built on higher ground.

Most construction activity in Gem County occurs between April and October when it rarely floods. Planning for or anticipating high water level is often the last thing on one's mind when building, especially something like a corral or outbuilding. This can add to the challenge noted above about remembering to think about where to construct domestic and agricultural buildings. These are just a few of the reasons why Gem County requires permits before constructing in a floodplain.

BUILDING IN A FLOODPLAIN

Most property owners and builders know that a floodplain permit is required before constructing a house in the Special Flood Hazard Area (or 100-year floodplain). One's primary residence is such a large investment that more forethought and planning typically occurs before these buildings are built as compared with smaller and less expensive structures. But did you know that a floodplain permit is also required for all development in the floodplain, not just the construction of your house or shop?

Why? There are several reasons, but one of the main reasons is that floods – especially the types of fast-moving floods common in Gem County – do not discriminate between houses, fences, propane tanks, tractors, outbuildings or anything else. High velocity

flood waters take everything in its path. And the more “temporary” the nature of the structure, the easier it is to be lifted and taken down stream. All of this material in the water increases the potential hazard of the flood, not just to your property but to everyone else downstream.

FLOODPLAIN DEVELOPMENT PERMITS REQUIRED

So, to help prevent this accumulation of material in the flood waters and related impacts during flood events, Gem County adopted a Flood Control Ordinance in 1987 (Ordinance #87-3, 5-11-1987). This is the same ordinance that is in effect today. Below are two sections taken from that ordinance. The first is a definition of “development” (which includes more activity than you might think). The second is a description of floodplain development permits and when they are required.

GCC 13-2-1:

“DEVELOPMENT: Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, *mining, dredging, filling, grading, paving, excavation or drilling operations* located within the area of special flood hazard.

GCC 13-4-1:

“DEVELOPMENT PERMIT: Required: A (floodplain) development permit shall be obtained before construction or development begins within any area of special flood hazard established in section [13-3-2](#) of this title. The permit shall be for all structures including manufactured homes, as set forth in [chapter 2](#) of this title, and for all development including fill and other activities, also as set forth in [chapter 2](#) of this title.”

As an owner of property that lies within a Special Flood Hazard Area (100-year floodplain), it is your responsibility to know what steps need to be taken when doing “development,” as defined above, in the floodplain. Before you do any building of either permanent or temporary structures or before you fill, mine, dredge or similar activities in the 100-year floodplain on your property, please contact the Development Services Department at 365-5144. A complete copy of Gem County’s Flood Control Ordinance and the Development Permit application form are available on-line at www.co.gem.id.us under the “Development Services” link. (Go to Title 13 for the ordinance.) You can also obtain a hard copy of these documents at the Development Services office (see below). The best rule of thumb. . .JUST ASK! We are here to assist you in whatever way you need.

“EYES ON THE GROUND”

The best way to minimize the loss of life or property during a flood is prevention. This includes everything from learning about the potential flood risks on your property to designing and building “flood smart” structures to avoiding the placement of certain improvements in flood prone areas. And prevention often boils down to knowledge. Gem County employs just one, part-time Code Enforcement Officer who covers the entire county. It is impossible for him to know about all development activity or be able to inform property owners of the ordinances. So, if you see any illegal floodplain development taking place, please either inform the person or contact Development Services at 365-5144. Many times it is just a matter of informing the party that a permit is needed. Creating a safe and functional floodplain takes all of us.



**Destroyed fencing along Payette
River at Idaho Blvd. – Letha,
Idaho – June 2010**

FLOODPLAIN ASSISTANCE AVAILABLE

Are you considering a new building or a adding on to a structure within the floodplain? Do you need to retrofit an existing structure to better withstand a future flood? Have you ever wondered how to select a qualified contractor who can perform flood-related

construction work? Gem County provides inquirers with flood and floor elevation data from available records. We also have information available regarding the repair of a flooded home and retrofitting flood-prone structures. If a property owner requests it, Gem County can have either the County Engineer or another state or federal agency conduct an on-site visit to help you with these issues. Contact information is provided below.

Flood Insurance

Gem County participates in the National Flood Insurance Program (NFIP) that makes available federally backed flood insurance for all structures, whether or not they are located within the floodplain. More than 25 percent of NFIP claims are filed by properties located outside the 100-year floodplain, also known as the Special Flood Hazard Area (SFHA). Following the purchase of flood insurance, NFIP imposes a 30-day waiting period, so residents should purchase insurance before the onset of the rainy season to ensure coverage during the flooding season.

Membership within NFIP — and the availability to County residents of flood insurance — requires the County to manage its floodplain in ways that meet or exceed standards set by FEMA. NFIP insures building with two types of coverage: structural and contents. Structural coverage includes walls, floors, insulation, furnace and other items permanently attached to the structure. Contents coverage may be purchased separately to cover the contents of an insurable building. Flood insurance also pays a portion of the costs of actions taken to prevent flood damage.

Since July 1, 1997, all NFIP policies include Increased Cost of Compliance coverage that assists with bringing structures into compliance with current building standards, such as elevating structures 1 foot or more above the height of the 100-year flood. **The limit of this coverage is \$30,000.**

Federal financial assistance requires the purchase of flood insurance for buildings located within the SFHA — a requirement that affects nearly all mortgages financed through commercial lending institutions. This mandatory requirement stipulates that structural coverage be purchased equal to the amount of the loan, or other financial assistance, or for the maximum amount available, which is currently \$250,000 for a single family residence. While the mandatory flood insurance purchase requirement has been in effect for many years, not all lending institutions required flood insurance in the past. Today, however, most institutions are now requiring the flood insurance purchase, and some are reviewing all mortgage loans to determine whether flood insurance is required and should have been required in the past. Upon refinancing a loan, nearly all lending institutions will enforce the flood insurance requirement. It is the lender's

responsibility to check the Flood Insurance Rate Map (FIRM) to determine whether a structure is within the SFHA.

The mandatory flood insurance purchase requirement does not apply to loans or financial assistance for items that are not eligible for flood insurance coverage, such as vehicles, business expenses, landscaping and vacant lots. The requirement also does not apply to loans for structures not located in a SFHA, even though a portion of the lot may be within a SFHA. Persons located within SFHAs who received disaster assistance after Sept. 23, 1994 for flood losses to real or personal property must purchase and maintain flood insurance coverage, otherwise future disaster assistance will be denied.

IMPORTANT CONTACT INFORMATION

- 1) Gem County Internet Home Page: <http://gemcounty.org>
- 2) Federal Emergency Management Agency (FEMA)
Phone: (425) 487-4600
Web: <http://www.fema.gov/nfip/>
- 3) Gem County Development Services Department (including Building Dept)
Phone: (208) 365-5144
- 4) Gem County Emergency Medical Services (non-emergency number at garage)
Phone: (208) 365-3684
- 5) Gem County Sheriff's Office (non-emergency number)
Phone: (208) 365-3521
- 6) Gem Fire District #1
Phone: (208) 365-2012
- 7) Gem Fire District #2 (Sweet – Ola – Montour area)
Phone: (208) 584-3736
- 8) Idaho Department of Water Resources – State NFIP Coordinator
Mary McGown, PhD
Phone: (208) 287-4928
Web: <http://www.idwr.idaho.gov/water/flood/>
- 9) National Marine Fisheries Service (NMFS)
Phone: (206) 526-6150
Web: <http://www.nmfs.noaa.gov/> (and) <http://www.nwr.noaa.gov/>
- 10) U.S. Army Corps of Engineers
Phone: (503) 808-4510
Web: <https://www.nwp.usace.army.mil/>