



Dr. John D. Barge, State School Superintendent
“Making Education Work for All Georgians”

**Guideline For Compliance With The Standards and
Criteria of the
National Flood Insurance Program**

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**Educational Facility Site, Construction, and
Reimbursement**

**Georgia Department of Education
Facilities Services Unit**

Effective Date: July 25, 2010

Guideline For Compliance With The Standards and Criteria of the National Flood Insurance Program

SECTION I

AUTHORIZATION, FINDING OF FACT, PURPOSE, AND OBJECTIVE

1. Authorization

On August 22, 1979, the Governor of the State of Georgia issued an Executive Order directing the State Board of Education to develop floodplain management criteria applicable to the construction of state facilities and recipients of state grants or loans in floodplain areas in accordance with the requirements of the National Flood Insurance Program (Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations). As required by Federal statutes, the State Board of Education was directed to immediately issue or amend existing regulations and procedures to comply with the standards and criteria of Sections 1910.3, 1910.4, and 1910.5 of the National Flood Insurance Program rules and regulations. Also, for the purpose of complying with these sections, the State Board of Education will be defined as a community when considering flood hazards to State property and will not be subject to local community ordinance permits.

2. Findings of Fact

- A. The floodplains of the State of Georgia are subject to periodic inundation which may result in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- B. These flood losses are caused by the cumulative effect of obstructions in floodplains. Such obstructions result in increases in flood heights and velocities; thereby making occupancy in floodplains vulnerable to flood or hazardous to other properties which are inadequately elevated, flood proofed, or otherwise protected from flood damages.
- C. The State of Georgia has extensive and continuing programs for the construction of buildings, roads, and other facilities, and annually acquires and disposes of lands in flood hazard areas.

3. Purpose and Objective

It is the objective of this regulation to protect human life and health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- A. Restrict or prohibit uses which are dangerous to health, safety and property due to water erosion or in flood heights or velocities;
- B. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damages at the time of initial construction;
- C. Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
- D. Control filling, grading, dredging and other development which may increase erosion or flood damage; and
- E. Prevent or regulate the construction of flood barriers which will unnecessarily divert flood waters or which may increase flood hazards to habitable structures.

SECTION II

DEFINITIONS

Words or phrases used in this regulation shall (1) conform with definitions provided in Section 1909.1 of the National Flood Insurance Program rules and regulations, or (2) shall be interpreted so as to give them the meaning they have in common usage and to give this regulation its most reasonable application.

SECTION III

GENERAL PROVISIONS

1. Lands to Which this Regulation Applies

This regulation shall apply to all areas within the floodplains of the State of Georgia.

2. Basis for Establishing the Floodplains

The floodplains in the State of Georgia shall be identified from the following sources, documents, or maps (in order of priority):

- A. Flood Insurance Studies and Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency (formerly Federal Insurance Administration).

- B. Floodplain Information Study Report prepared by the U.S. Army Corps of Engineers.
- C. Flood Hazard Analysis Reports prepared by the U.S. Department of Agriculture Soil Conservation Service.
- D. Published detailed reports that can be obtained from the Federal Emergency Management Agency or other Federal or State Agencies or private engineering firms.
- E. Flood Prone Area Maps prepared by the U.S. Geological Survey.
- F. Flood Hazard Boundary Maps prepared by the Federal Emergency Management Agency.
- G. In the event that information from the above sources does not provide exact base flood evaluation for a particular site, the State Board of Education will coordinate obtaining the necessary information from the Federal Emergency Management Agency, the U.S. Geological Survey, the Georgia Geologic Survey, or the U.S. Army Corps of Engineers.

3. Compliance

The State Board of Education proposes to undertake only those development activities within the floodplains of the State of Georgia that fully comply with the standards and criteria of Sections 1910.3, 1910.4, and 1910.5 of the National Flood Insurance Program Rules and Regulations, especially Subsections C-3, C-4, and D-3 of Section 1910.3.

4. Abrogation and Greater Restrictions

This regulation is not intended to repeal, abrogate, or impair any existing State easements, covenants or deed restrictions. However, where this regulation and another regulation of the State Board of Education conflict or overlap, whichever imposes the more stringent floodplain restrictions shall prevail.

5. Disclaimer of Liability

The degree of flood protection required by this regulation of the State Board of Education is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be initiated from both manmade and natural causes. This regulation does not imply that land outside the base floodplain or uses permitted within such areas will be free from flooding or flood damages. This regulation, therefore, shall not create liability on the part of the State of Georgia, the State Board of Education, or by any officer or employee thereof, for any flood damages that result from reliance on this regulation or any administrative decision lawfully made thereunder.

SECTION IV

DESIGNATION OF STATE DEPARTMENT OF EDUCATION ADMINISTRATOR AND PROVISIONS FOR FLOODPLAIN MANAGEMENT

1. Designation of Administrator

The Administrator of the Facilities Section is appointed to administer and implement this regulation for the State Department of Education (GaDOE) by defining the specific conditions that the State Board of Education will undertake development activity within the floodplain.

2. Provisions for Floodplain Management

The Administrator of the Facilities Section will review all development plans and specifications of the State Board of Education. These plans and specifications will meet or exceed the floodplain management criteria described in Sections 1910.3, 1910.4, and 1910.5 of the National Flood Insurance Program Rules and Regulations.

SECTION V

ADMINISTRATIVE SERVICES

1. Review of Proposal

Upon receiving notification of a proposed development, the Administrator of the Facilities Section shall cause the proposal to be reviewed to determine that all flood protective measures of the National Flood Insurance Program have been met.

2. Notification

The Administrator of the Facilities Section shall notify all appropriate federal agencies from which prior approval is required.

3. Implementation

Upon making a determination that the proposed development is within the floodplain or the Coastal High Hazard Area, the Administrator of the Facilities Section also will:

- A. Attempt to relocate the proposed development to a viable site outside the floodplain or the Coastal High Hazard Area; or
- B. If (A) above is unsuccessful or not practical, develop and implement engineering design criteria compatible with the rules and regulations of Section 1910.3, 1910.4, and 1910.5 of the National Flood Insurance Program.

- C. If the aforementioned engineering criteria can be implemented and development within the floodplain is acceptable, the Administrator of the Facilities Section will secure a certification from a land surveyor or professional engineer, registered in the State of Georgia, of the actual lowest flood of habitable buildings (including basement); or if flood proofing is utilized, the actual level of flood proofing, in relationship to National Geodetic Vertical Datum.
- 4. Documents and Records
The Administrator of the Facilities Section shall maintain for public inspection all certification, engineering documents, and records related to the proposed development.
- 5. Specific Administrative Procedures
 - A. All school site approvals after January 1, 1980, must be accompanied by a letter of assurance that the site is not in a floodplain or the Coastal High Hazard Area. This letter of assurance must be from the Floodplain Management Coordinator of the Georgia Department of Natural Resources.
 - B. In the case of new construction at an existing site (a site approved prior to January 1, 1980), the architect must certify on preliminary plans that the location of new construction is not in a floodplain, as determined by the Floodplain Management Coordinator of the Georgia Department of Natural Resources.

To obtain the letter of assurance, write the Floodplain Management Office, Georgia Department of Natural Resources and enclose the following items:

- A. County or City Road Map with the location of the site clearly marked and
- B. Site Plan with the location of existing or proposed structures identified.

The letter of request should include a brief description of the school location with directions from a given point, such as a town or city, and the names of roads and highway numbers, and the approximate acreage of the site. The State Floodplain Management Office is authorized to request any additional information as needed to complete the evaluation of the proposed school site. Additional information may include a Surveyed Plat using a point of reference with the site tied to the centerline of an intersecting road. In the event a Surveyed Plat is necessary but unavailable, no final determination may be given. Allow from 7 to 10 days for the floodplain determination review process. A form for the request of a floodplain determination is available at the end of this document. The address of the Floodplain Management Office follows:

**Georgia Department of Natural Resources
Floodplain Management Office
4220 International Parkway
Suite 101
Atlanta, Georgia 30354
Telephone: (404) 362-1757
Fax: (404) 362-2757**

FLOODPLAIN DETERMINATION REQUEST

**Submit Request To:
Georgia Department of Natural Resources
Floodplain Management Office
4220 International Parkway
Suite 101
Atlanta, Georgia 30354
Telephone: (404) 362-1757 Fax: (404) 362-2757**

Date: _____

The _____ School System wishes to request a floodplain determination from the State Floodplain Management Office for the following site:

Please attach the following maps:

- 1. County or City Road Map with the location of the site clearly marked, and
- 2. Site Plan with the location of existing or proposed structures identified.

The State Floodplain Management Office is authorized to request any additional information as needed to complete the evaluation of the proposed school site. The type of additional information may include a Surveyed Plat using a point of reference with the site tied to the centerline of an intersecting road. In the event a Surveyed Plat is necessary but unavailable, no final determination may be given. In addition the following information is provided:

- I. Brief description of school location with direction from a given point, such as town or city, and with the names of roads and highway numbers.

- II. Approximate acreage of site: _____

- III. Additional comments:

Signature: _____
Print Name: _____
Address: _____

Phone Number: _____

Note: Please allow from 7 to 10 days for the review process.