

STATUS OF STATE FLOOD HAZARD MANAGEMENT PROGRAMS

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Introduction

States have been active in flood hazard management programs for over 20 years. Within that time period, there have been significant changes in the quality and sophistication of state programs. State programs have gone from requiring zoning only, to many other forms of flood hazard management. Over 35 states require direct regulation of the flood hazard area by local or state government. Each one of the states, the District of Columbia, and the territories of Puerto Rico, Guam, and the Virgin Islands have a designated coordinator for the National Flood Insurance Program. The number of state employees working on flood damage reduction has increased between 50 and 100 full-time equivalents since 1979 (Larson, 1983).

State Program Content

Regulations

Some of the early state programs involved direct state regulation of the floodplain, or at least the floodway. Floodfringe development was generally left to local regulation. As more and more states adopted legislation, however, they realized that regulation through land use zoning provided the best opportunity for preventing future flood damages. As with most land use regulatory programs, it is not a popular issue with most local governments. For those reasons, state oversight and minimum state standards are considered essential.

The state standards generally provide for no structures (open space use only) in the floodway where obstructions could cause increased flood elevations on other property owners upstream. The federal standard allows an obstruction to increase flood elevations up to 1.0 foot. However, more and more states are requiring small or zero increases in flood elevation due to obstructions in the floodway (New Jersey, Maryland, Iowa and Wisconsin allow essentially zero increase). Compensation for property owners for flood increases, or actions to compensate for the increase are options to handle the "taking without just compensation" issue.