



FEMA

December 1, 2008

Margaret Fleek, Planning Director  
City of Burlington  
833 South Spruce Street  
Burlington, Washington 98233

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Dear Ms. Fleek:

I appreciate the opportunity to meet with Burlington city officials on August 19, 2008 to discuss Burlington's participation in the National Flood Insurance Program (NFIP). The meeting, called a Community Assistance Visit (CAV), was with you, Jim Sherwood, Jon Aarstad of the Burlington city staff, and Federal Emergency Management Agency (FEMA) representatives Bret Gate and myself. This letter summarizes the findings, discussions and subsequent questions from the meeting.

A primary purpose of our visit was to assure enforcement by the city of Chapter 15.15, Regulations for Critical Areas, as they pertain to floodplain management. Continued enforcement enables FEMA to continue to allow flood insurance to be sold in the city. Other purposes of these visits are to provide you with the most current information on the NFIP and State regulations and to give your staff a chance to discuss issues concerning the city's floodplain management program.

Our major concerns at CAV meetings involve: (1) the currency of the local floodplain management regulations; (2) procedures for implementing these regulations, and (3) information to document findings in our Field Inspection Report. Our findings as they relate to these concerns are as follows:

**Floodplain Regulations:** Chapter 15.15 has been reviewed since the meeting. I have found the chapter to be mostly compliant with the NFIP and State floodplain management regulations. I did, however, find a few deficiencies; Chapter 15.15 does not contain a definition for "basement" or "substantial damage" as required under 44 CFR 59.1. Please see the enclosed model ordinance and checklist with sample language for these definitions. I have also determined that since the city receives credit for providing Map Information (Activity 320) in the NFIP's Community Rating System, the language for Section 4.3-5 of the model ordinance should be included in the ordinance.

**Procedures:** Please provide a written example of the procedures that are followed when an applicant applies for a floodplain development permit, including permits for projects other than habitable structures, i.e., public works projects.

**Field Inspection Report Cases:** There are several questions identified in the attached field report. Please provide the requested documentation.

One concern that was brought to my attention by the city was the lack of notification when new technical bulletins and guidance have been released. Since our meeting in August, FEMA Headquarters has revised three technical bulletins: Technical Bulletins 1, 2, and 5. These technical

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bulletins, along with all other published technical bulletins, are available on FEMA's website at <http://www.fema.gov/plan/prevent/floodplain/techbul.shtm>.

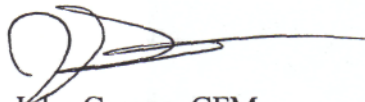
Another development in the NFIP since our meeting has been the release of the Biological Opinion from the National Marine Fisheries Service regarding the effects of the NFIP on Puget Sound salmonids, as well as resident Killer Whales. The Biological Opinion can be found on the NMFS website at <http://www.nwr.noaa.gov>. Each participating community must implement an interim action that includes tracking of all floodplain permits that they issue, mitigating adverse impacts resulting from the floodplain permits, and reporting of this information to FEMA in October 2009. FEMA is developing outreach materials to assist communities with implementation of the provisions of the Endangered Species Act; you will be notified once these materials are available.

In summary, there are a few questions regarding the implementation of the NFIP in the City of Burlington; however, the overall feeling is that the city is doing a good job implementing the provisions of the program.

Please provide the requested documentation to me at the FEMA Region X office within 60 days of the date of this letter.

If you have any questions regarding the requests in the letter or the field report please feel free to contact me via email at [john.graves1@dhs.gov](mailto:john.graves1@dhs.gov) or phone at 425-487-4737.

Sincerely,



John Graves, CFM  
Senior NFIP Specialist

Enclosures

cc: Chuck Steele, WADOE, NWRO ✓  
Bret Gates, FEMA HQ

JG:bb

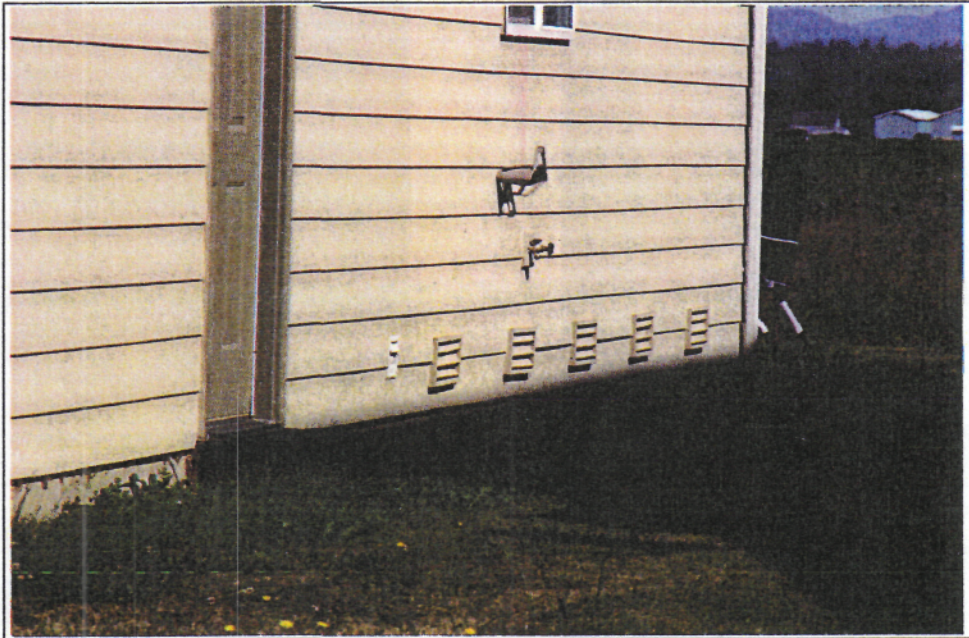
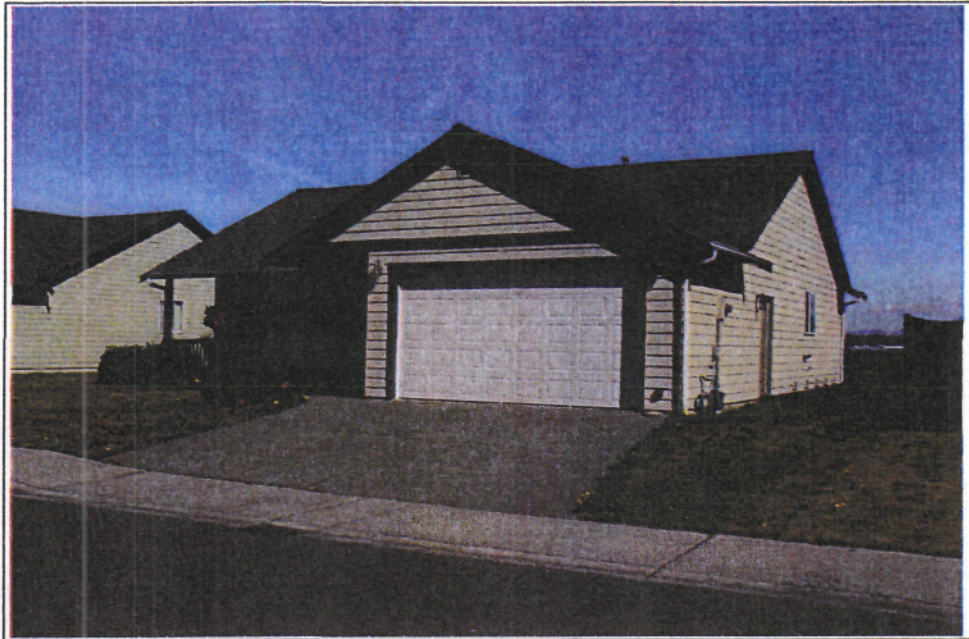
National Flood Insurance Program  
FEMA Region X

Community Assistance Visit  
Field Report



**NATIONAL  
FLOOD  
INSURANCE  
PROGRAM**

Burlington, Washington  
August 13, 2008  
Conducted by John Graves, CFM



1. **807 Farmington Square**– Appears to be good construction with proper vents. Please provide permit and elevation certificate

City of Burlington: Field Inspection Report, August 13, 2008



2. **1128 Fairhaven-** New structure- Please provide Elevation certificate and permit.



3. **300 N. Section Street-** This structure is being renovated with an addition. Please provide permit and calculations to show this is not a substantial improvement.

**City of Burlington: Field Inspection Report, August 13, 2008**



4. 1821 Fairhaven- Structure appears to be elevated on fill. Please provide elevation certificate and permits.



5. **748 Rheanna Place-** This structure is having fill placed in the crawlspace, please provide a copy of the fill permit as well as the original permit and the elevation certificate.



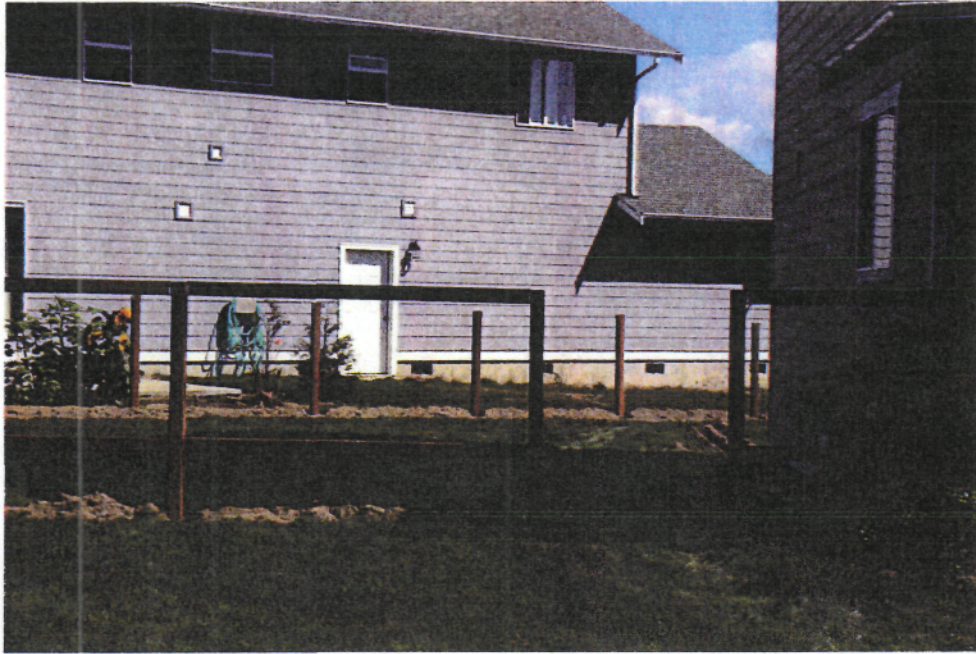
6. **762 Rheanna Place-** Please provide a copy of the permit and elevation certificate for this structure.



7. **952 Homestead Drive-** Please provide a copy of the elevation certificate and permit.



City of Burlington: Field Inspection Report, August 13, 2008



8. **next door to 971 Homestead Drive-** Please provide elevation certificate and permit. This structure appears to have vents that are improperly installed (too high).



City of Burlington: Field Inspection Report, August 13, 2008





9. **Vail Lane-** Structures appear to have legal crawlspaces. However the nature of the crawlspace design is tempting to convert to livable space below the BFE. Please provide the permit and elevation certificate for this structure and evidence that the area below BFE is constructed of flood resistant materials (including any finished walls in the garage), and electrical is above the BFE. Suggested that a non-conversion agreement is signed with the owner and recorded as an amendment to the deed (sample enclosed).



10. **1234 S. Burlington-** Please provide the permit and elevation certificate for this structure. If this structure is floodproofed please provide a copy of the floodproofing certificate.



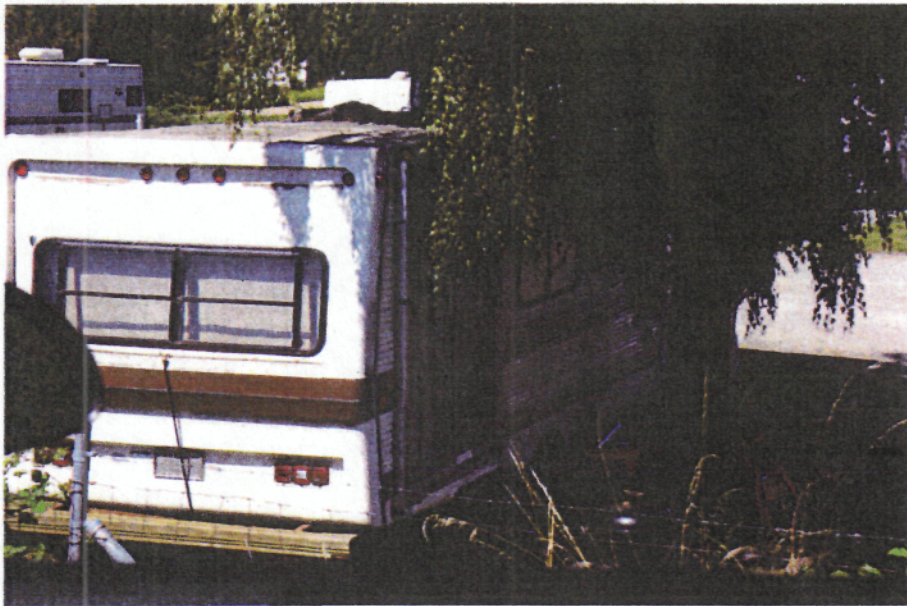
11. **Home Depot-** Please provide a copy of the fill permit, floodplain development permit and the elevation certificate for this structure.



12. **Sportsman's Warehouse-** Please provide a copy of the permit and elevation certificate for this structure. If fill was used to elevate the structure please provide a copy of the fill permit as well.



13. Soccer fields and parks behind the levee. Great use of the floodplain and areas behind the levee.

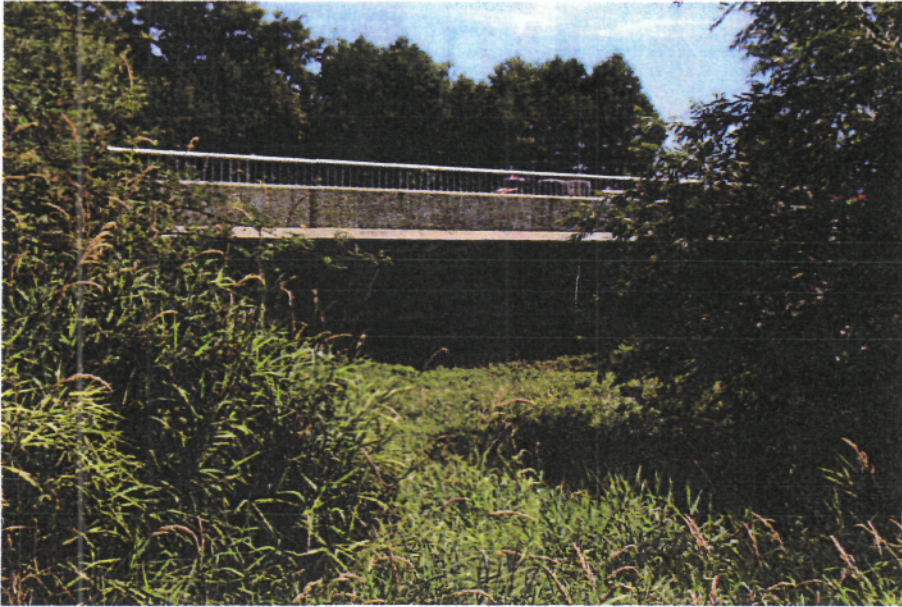




14. **RV park-** Please provide evidence that these structures have been **moved** within the past 180 days. RVs may be onsite no longer than 180 consecutive days and must remain road ready or they must be elevated on a permanent foundation and anchored to the same standards as a manufactured home.



15. **Storage of materials for diking district-** Please provide a copy of the permit issued to the diking district for the temporary storage of materials in the floodplain.



**16. New bridge-** Please provide a copy of the permit and the associated calculations for the new bridge crossing Gages Slough.



**17. Nissan Car Dealership-** Please provide a copy of the permit and elevation certificate for this structure.



18. **Library- 820 E. Washington Street-** Please provide a copy of the permit and elevation certificate for this structure.



19. **City Hall-** Please provide a copy of the permit and elevation certificate for the new City Hall structure. Does the City consider City Hall a critical facility?