



Development Services Center

DURHAM CITY-COUNTY FLOODPLAIN DEVELOPMENT PERMIT APPLICATION

Development Services Center

101 City Hall Plaza | Durham, NC 27701

919-560-4137 or 919-560-4144 | www.durhamnc.gov

CITY OF DURHAM AND DURHAM COUNTY FLOODPLAIN DEVELOPMENT PERMIT APPLICATION

A Floodplain Development Permit associated with a site plan, preliminary plat, construction drawing, or building permit must be submitted with the associated plan application pursuant to the Unified Development Ordinance Section 8.4.

FLOODPLAIN PERMIT APPLICATION is to be completed by NC REGISTERED ENGINEER / SURVEYOR.

For more information contact:

DSCFloodplain@durhamnc.gov

SECTION I. GENERAL PROVISIONS

1. Applicant is hereby informed that a Floodplain Permit and other permits are required to fulfill local, state, and federal regulatory requirements for completing work in a City of Durham or Durham County floodway, floodplain and or associated non-encroachment areas.
2. The permit shall remain valid for the duration of the time that the associated building permit, site plan, or plat is valid.
3. Permits not directly associated with a site plan or preliminary plat shall have validity based on the associated activity's validity of regulations or policies.
4. Permits require revisions and updates when plan amendments or site changes cause deviation from the original associated approved plans for floodway, floodplain and or associated non-encroachment area disturbances.
5. No work of any kind may start until a Floodplain Permit is issued for areas located in the City of Durham's and Durham County's floodways, floodplains, and associated non-encroachment areas.
6. The permit may be revoked if any false statements are made herein or work exceeds the limits and conditions denoted herein and/or the associated plans.
7. If revoked, all work must cease until the permit is re-issued and all mitigation requirements have been met.
8. A Certificate of Compliance/Occupancy will not be issued until all final approvals are obtained.
9. Final Approval requires the closeout of the Floodplain Permit through an **as-built and inspection**.
10. Applicant gives consent to the Floodplain Administrator or designee to make reasonable inspections required to verify compliance.

Submittal Format: Digital Submittals shall be provided on a CD/DVD, be email, or by download link.

Submittal Sequence:

1. All Initial Plan Submittals for property with floodway, floodplain and or associated non-encroachment areas should include:
 - a. Floodplain Determination Form,
 - b. Floodplain Impact Plan,
 - c. Required plan set for associated plan submittal application,
 - d. Floodplain Permit Application (if known-when required), and
 - e. Associated Floodplain Submittal Documents (if known-when required, per Submittal Level noted below).
2. All re-reviews of plan submittals requiring a Level Small, Medium, Large or Building Permit review as determined:
 - a. Floodplain Determination Form,
 - b. Floodplain Impact Plan,
 - c. Required plan set for associated plan submittal application,
 - d. Floodplain Permit Application, and
 - e. Associated Floodplain Submittal Documents (per Submittal Level noted below).

Review Deadlines:

Comments regarding the permit will be provided to the applicant electronically within the timeframe allocated for the associated plan application.

All Floodplain Permit Application submittals shall be submitted directly to DSC Floodplain through the associated Plans/Permit desk in the Development Services Center located on the Ground Floor of City Hall and or by email at DSCFloodplain@durhamnc.gov.



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SECTION II. PROJECT CONTACT INFORMATION (to be completed by APPLICANT)

| | |
|---------------------------------------|----------|
| OWNER/APPLICANT INFORMATION | |
| Contact Person: | Company: |
| Email Address: | Phone: |
| ENGINEER OF RECORD INFORMATION | |
| Contact Person: | Company: |
| Email Address: | Phone: |
| CONTRACTOR INFORMATION | |
| Contact Person: | Company: |
| Email Address: | Phone: |

SECTION III. PROJECT INFORMATION - BACKGROUND (to be completed by APPLICANT)

Project Name:

Phase:

Project Address/Identifiers (Ex. Linear Utility):

Project Description/Comments:

Parcel Identification Numbers (PINs/PIDs):

Previous Project Name(s):

Associated Site Plan Case Number:

Associated Public Works Case Numbers:

Associated Floodplain As-Built Case Number(s):

Associated Floodplain Permit Number(s):

Associated Minor Special Use Permit:

Associated CLOMR/LOMR Number(s):

Associated Building Permit Number(s):



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| SECTION IV. FLOOD SOURCE INFORMATION (to be completed by APPLICANT) | |
|---|--|
| <input type="checkbox"/> SECTION IV.1. FEMA DATA: | |
| FEMA Community Number (Select all that apply): | <input type="checkbox"/> Durham County (not in City Limits) 370085M <input type="checkbox"/> City of Durham Limits 370086K County of: <input type="checkbox"/> Durham, <input type="checkbox"/> Wake, <input type="checkbox"/> Orange |
| Existing Site Contains the following Flood Zones and Sources (select all that apply): | <input type="checkbox"/> Floodway <input type="checkbox"/> Non-Encroachment Area <input type="checkbox"/> Wetlands <input type="checkbox"/> Streams <input type="checkbox"/> 1% Annual Chance Flood (ACF) <input type="checkbox"/> 1% ACF Future <input type="checkbox"/> 0.2 % ACF <input type="checkbox"/> Other Surface Water Conditions: _____ |
| <input type="checkbox"/> SECTION IV.2. FLOOD SOURCES: | |
| <input type="checkbox"/> Single Flood Source Onsite | <input type="checkbox"/> Multiple Flood Sources Onsite (List in Chronological Order) |
| Flood Source (Name of stream/ water body): | |
| FIRM Panel Numbers: | |
| FIRM Effective Date: | |
| Flood Source (Name of stream/ water body): | |
| FIRM Panel Numbers: | |
| FIRM Effective Date: | |
| Flood Source (Name of stream/ water body): | |
| FIRM Panel Numbers: | |
| FIRM Effective Date: | |
| Flood Source (Name of stream/ water body): | |
| FIRM Panel Numbers: | |
| FIRM Effective Date: | |
| <input type="checkbox"/> SECTION IV.3. PROPOSED SITE & FLOOD DATA: | |
| Proposed Development Footprint of Disturbance in square footage (select and complete all that apply- per flood source, indicate flood sources where multiple are located onsite): | <input type="checkbox"/> Floodway: _____ <input type="checkbox"/> Non-Encroachment Area: _____ <input type="checkbox"/> 1% Annual Chance Flood (ACF): _____ <input type="checkbox"/> 1% ACF Future: _____ <input type="checkbox"/> 0.2 % ACF: _____ <input type="checkbox"/> Wetlands: _____ <input type="checkbox"/> Streams: _____ <input type="checkbox"/> Other Surface Water Conditions: _____ |
| Proposed Development change in water surface elevation (increase/decrease in feet-per flood source, indicate flood sources where multiple are located onsite): | <input type="checkbox"/> Floodway: _____ <input type="checkbox"/> Non-Encroachment Area: _____ <input type="checkbox"/> 1% ACF: _____ <input type="checkbox"/> 1% ACF Future: _____ <input type="checkbox"/> 0.2 % ACF: _____ |
| Meets Ordinance Limits (applies to all flood sources): | <input type="checkbox"/> On increases. <input type="checkbox"/> On decreases. <input type="checkbox"/> Non increase of non-encroachment areas widths. <input type="checkbox"/> Non increase of Floodway widths. |
| 1% ACF Future Base Flood Elevation(s) at the Project Site (NAV1988): Callout each elevation set with associated flood source. | |



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| SECTION V. PROPOSED DEVELOPMENT PROJECT INFORMATION (to be completed by APPLICANT) | |
|---|--|
| Check all sections below that describes work in the floodplain (Check all applicable boxes) | |
| <input type="checkbox"/> SECTION V.1. STRUCTURAL COMPONENTS OF PROPOSED FLOODPLAIN WORK ON PROPERTY: | |
| A. Structures: | Existing <input type="checkbox"/> No <input type="checkbox"/> Yes Proposed <input type="checkbox"/> No <input type="checkbox"/> Yes |
| B. Existing Use: | <input type="checkbox"/> Residential, <input type="checkbox"/> 1-4 family <input type="checkbox"/> >4 family <input type="checkbox"/> Manufactured (Mobile) Home <input type="checkbox"/> Non-Residential <input type="checkbox"/> Combined Use |
| C. Change in Use: | <input type="checkbox"/> No, <input type="checkbox"/> Yes, complete Proposed Use below |
| D. Proposed Use: | <input type="checkbox"/> Residential <input type="checkbox"/> 1-4 family <input type="checkbox"/> >4 family <input type="checkbox"/> Manufactured (Mobile) Home <input type="checkbox"/> Non-Residential <input type="checkbox"/> Combined Use |
| E. Proposed Structural Modifications: | <input type="checkbox"/> Not Applicable <input type="checkbox"/> New Structure <input type="checkbox"/> Alteration/Expansion <input type="checkbox"/> Replacement <input type="checkbox"/> Demolition <input type="checkbox"/> Repair <input type="checkbox"/> Sump Construction <input type="checkbox"/> Plumbing work <input type="checkbox"/> H.V.A.C. <input type="checkbox"/> Electric Pipes <input type="checkbox"/> Mechanical Equipment <input type="checkbox"/> Wall: <input type="checkbox"/> >3' or <input type="checkbox"/> <3' <input type="checkbox"/> Veener Work <input type="checkbox"/> Routine Maintenance <input type="checkbox"/> Minimum Improvement <input type="checkbox"/> Substantial Improvement <input type="checkbox"/> Resilience Measures <input type="checkbox"/> Other(Please specify): _____ |
| F. Structure Components: | Existing Structural Footprint (square footage): _____ Proposed Structural Footprint/Alterations(square footage): _____ <input type="checkbox"/> Lowest Floor (Living Space), Elev. _____ <input type="checkbox"/> Basement, Elev. _____ <input type="checkbox"/> Crawl Space, Elev. _____ <input type="checkbox"/> Lowest Utility, Elev. _____ |
| G. Proposed Resilience Measures: | <input type="checkbox"/> Not Applicable <input type="checkbox"/> Meets Freeboard 2' Requirements above <u>1% ACF Future</u> <input type="checkbox"/> Exceeds Freeboard 2' Requirements above <u>1% ACF Future</u> <input type="checkbox"/> Elevation by Design <input type="checkbox"/> Elevation (on support): <input type="checkbox"/> Foundation Walls, <input type="checkbox"/> Fill, <input type="checkbox"/> Piers, <input type="checkbox"/> Post/Columns, <input type="checkbox"/> Piers <input type="checkbox"/> Relocation <input type="checkbox"/> Floodwalls/Levees <input type="checkbox"/> Wet Floodproofing <input type="checkbox"/> Dry Floodproofing (Walls impermeable to the passage of water at 2' Freeboard Elev.) <input type="checkbox"/> Floodproofing protection level (non-residential only) (in feet): _____ (Note: Non-Residential floodproofing option requires prior approval by Development Review Board) <input type="checkbox"/> Internal Utilities at or above 2' Freeboard Elev. <input type="checkbox"/> Other (Please specify): _____ |
| Total Structural Construction Cost Estimate (attach cost estimate in excel format per the Durham Floodplain standards): | |
| Potential for Substantial Improvement Note: | |
| For estimates approaching, equal to, or exceeding 50% structural value (prior to improvements, repairs, etc.) submit a copy of the contract signed and dated by both the owner and contractor with a detailed cost breakdown, including fair market value labor costs estimates, hazardous building material disposal costs, and the cumulative improvement costs for construction conducted in the subsequent 12 months after the CO issue date. | |
| See Floodplain Cost Estimate Checklist for guidance and minimum requirements. | |



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| | |
|---|--|
| <input type="checkbox"/> SECTION V.2. ENVIRONMENTAL COMPONENTS OF PROPOSED FLOODPLAIN WORK ON PROPERTY: | |
| A. Disturbance activities: | <input type="checkbox"/> Clearing <input type="checkbox"/> Grading <input type="checkbox"/> Fill <input type="checkbox"/> Watercourse Alterations <input type="checkbox"/> Excavation <input type="checkbox"/> Dam Breach <input type="checkbox"/> SCMs <input type="checkbox"/> Drainage Improvements <input type="checkbox"/> Dredging <input type="checkbox"/> Mining <input type="checkbox"/> Drilling <input type="checkbox"/> Stream Bank Stabilizations <input type="checkbox"/> LIDs <input type="checkbox"/> BMPs <input type="checkbox"/> Other (Specify): _____ |
| B. Elevations: | Existing elevation (in feet): _____ Top of proposed compacted elevation (in feet): _____ |
| Total Environmental Construction Cost Estimate (attach cost estimate in excel format per the Durham Floodplain standards): | |
| Fill Material Notes: <ul style="list-style-type: none"> The Durham City-County Flood Damage Protection Ordinance requires fill material be used for all new residential construction and substantial improvements in order to create an elevation that two feet above the Future 1% ACF base flood elevation. The fill material must extend for a distance of 40 feet from the exterior walls of the structure, where distance to the property line is less than 40 feet, the fill shall extend to the property line.; and where the required fill material must include a sloped edge with a maximum 3:1 slope, or include a retaining wall in lieu of the slope. | |
| ACKNOWLEDGEMENT OF POTENTIAL REQUIREMENTS FOR SECTION 404 DEPARTMENT OF THE ARMY PERMIT AND REQUIREMENTS FOR CERTIFICATION OF FLOOR ELEVATION IN FLOOD AREAS As the applicant for Building Permits, Site Plans, and Construction Drawings at the address of _____ to construct: _____ (Address) (Project Title/Description) | |
| I hereby acknowledge that the issuance of a building permit, Site Plan, or Constuction Drawing by the City Durham or Durham County Departments does not relieve me of my responsibility of obtaining any required Section 404 Department of the Army permits. I understand that when development improvements may involve the placement of excavated material or fill material into streams, creeks, lakes, or wetlands, I am responsible for contacting the U.S. Army Corps of Engineers for a determination of whether or not a permit is required (telephone number (919) 876-8441, Raleigh, NC). Furthermore, I understand that I am required to submit a copy of all required permits to the City-County Development Services Center Floodplain Review Group, to be maintained on file with the Floodplain permit and all associated plan and permit submittals. | |
| In addition, I have been advised by the City Durham or Durham County Departments that they will be keeping the Army Corps of Engineers posted on all permits and plans they issue, so that the Corps can check for compliance with the regulations mentioned above. | |
| I have likewise been advised that the Floodplain regulations of the Durham City-County Flood Damage Protection Ordinance stipulates that within 21 calendar days after the establishment of the lowest floor elevation or floodproofing, it shall be the duty of the permit holder to submit to the Director of the Durham City-County Inspections Department a certification of the elevation of the lowest floor or floodproofed elevation in relation to mean sea level (to 10 th of foot). | |
| Said certification shall be by means of a completed National Flood Insurance Program Elevation Certificate, prepared and sealed by a Registered Land Surveyor or Engineer. Any work done within the 21 day period and prior to submission of the certification shall be at the permit holder's risk. | |
| <p style="color: red;">Note: Failure to submit the survey or make corrections shall be cause to issue a stop work order for the project.</p> | |
| Applicant's Name (Please Print): _____ | |
| Signature: _____ | Date: _____ |



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SECTION V.3. UTILITY COMPONENTS OF PROPOSED FLOODPLAIN WORK ON PROPERTY:

| | | | | |
|-----------------------------------|--|--|--|----|
| A. Utilities: | Existing: <input type="checkbox"/> No <input type="checkbox"/> Yes | Proposed: <input type="checkbox"/> No <input type="checkbox"/> Yes, | Length: _____ | LF |
| B. Durham Infrastructure Project: | <input type="checkbox"/> No <input type="checkbox"/> Yes | | | |
| C. Proposed Utility Activities: | <input type="checkbox"/> Stormwater Control Measures (SCM): | <input type="checkbox"/> Entire structure, <input type="checkbox"/> Outlet Structure, <input type="checkbox"/> Outlet (FES/HW), | <input type="checkbox"/> Toe of Slope, <input type="checkbox"/> Outlet Pipe, <input type="checkbox"/> Riprap Apron. | |
| | <input type="checkbox"/> Utility Piping and/or Structures for: | <input type="checkbox"/> Sanitary Sewer, <input type="checkbox"/> Storm Sewer, <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Water Line, <input type="checkbox"/> Pump Station, <input type="checkbox"/> Fire Line, <input type="checkbox"/> Lift Station, | |
| | <input type="checkbox"/> Storm Sewer Outlet: | Outlet type: <input type="checkbox"/> FES <input type="checkbox"/> HW Tail Ditch in floodplain: <input type="checkbox"/> No <input type="checkbox"/> Yes Tail Ditch in floodway: <input type="checkbox"/> No <input type="checkbox"/> Yes Riprap Apron: <input type="checkbox"/> No <input type="checkbox"/> Yes Class: _____ Dim.: ___' x ___' | Outlet Pipe Size: _____" Outlet Pipe Slope: _____% Pipe Material: _____ Pipe Upstream _____ Invert-Out Elev.: _____ Pipe Downstream _____ Invert-Outlet Elev.: _____ | |

Total Utility Construction Cost Estimate (attach cost estimate in excel format per the Durham Floodplain standards):

SECTION V.4. MISC. COMPONENTS OF PROPOSED FLOODPLAIN WORK ON PROPERTY:

| | |
|------------------|---|
| A. Obstructions: | <input type="checkbox"/> Fences, <input type="checkbox"/> Landscaping, <input type="checkbox"/> Trails, <input type="checkbox"/> Signs, <input type="checkbox"/> Playground Equipment, <input type="checkbox"/> Gazebos, <input type="checkbox"/> Hardscaping, <input type="checkbox"/> Railing, <input type="checkbox"/> Pedestrian Bridge, <input type="checkbox"/> Sidewalk, <input type="checkbox"/> Pavement Applications(select all that apply): <input type="checkbox"/> Concrete, <input type="checkbox"/> Asphalt, <input type="checkbox"/> Pavers, <input type="checkbox"/> Other: _____ |
| C. Elevations: | Existing elevation (in feet): _____ Top of proposed compacted elevation (in feet): _____ |

Total Miscellaneous Component Construction Cost Estimate (attach cost estimate to support value noted):

SECTION V.5. ADDITIONAL REQUIRED PERMITS:

| | | | |
|---|--|-----------------------------|---|
| Durham-Minor Use Permit: | <input type="checkbox"/> Yes, Provided | <input type="checkbox"/> No | <input type="checkbox"/> Not Applicable |
| Corps of Engineer 404 Permit: | <input type="checkbox"/> Yes, Provided | <input type="checkbox"/> No | <input type="checkbox"/> Not Applicable |
| State Department of Natural Resources 401 Permit: | <input type="checkbox"/> Yes, Provided | <input type="checkbox"/> No | <input type="checkbox"/> Not Applicable |
| Environmental Protection Agency NPDES Permit: | <input type="checkbox"/> Yes, Provided | <input type="checkbox"/> No | <input type="checkbox"/> Not Applicable |
| Durham- Buffer Authorization or Variance Application: | <input type="checkbox"/> Yes, Provided | <input type="checkbox"/> No | <input type="checkbox"/> Not Applicable |
| NC DWR Buffer Authorization or Variance Application: | <input type="checkbox"/> Yes, Provided | <input type="checkbox"/> No | <input type="checkbox"/> Not Applicable |



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SECTION VI. ADDITIONAL INFORMATION (to be completed by APPLICANT)

If proposed development is located in the flood prone areas (floodplain) must submit the following information, per the required floodplain permit application level assignment, designated by the floodplain administrator or designee, during the initial review of the associated plan submittal as documented on the Floodplain Determination Form:

Floodplain Determination Form required the following (select the appropriate submittal):

- Building Permit Submittal, for activities involving single family or two family developments on a lot of record, temporary uses, or demolition not requiring site plan or construction drawing approval.
- Level Small Floodplain Permit Submittal, for activities requiring site plan, plat, or construction drawing approval where no obstructions (objects) or structures are within the floodplain, but there is disturbance within the floodplain.
- Level Medium Floodplain Permit Submittal, for activities requiring site plan, plat, or construction drawing approval where obstructions or buildings are located within the floodplain but the displacement of floodwaters is not suspected to occur and calculations are provided to support the structure installation without adverse effects.
- Level Large Floodplain Permit Submittal, For activities requiring site plan or construction drawing approvals where structures, obstructions, and or disturbance in the floodplain creates a potential for flooding conditions being modified, thereby requiring calculations, flood studies, and or CLOMR/LOMR submittal. (Minor Special Use Permit reviews fall under this Level.)

The applicant must submit the following information (where applicable):

- Floodplain Impact Plan and Development plans, drawn to scale.
- Development specifications.
- A copy of all data and hydraulic/hydrologic calculations.
- Plans showing the extent of watercourse relocation and/or landform alterations.

SECTION VII. CERTIFICATION TO THE FLOODPLAIN ADMINISTRATOR (To be completed by APPLICANT):

The undersigned hereby acknowledges that the issuance of a Floodplain Permit by the Durham City-County Floodplain Administrator or Designee allows construction within the limits approved in the permit and all modification of the initial permit shall require additional review and permits accordingly. The work to be performed, including flood protection works, is as described below and in attachments hereto. The undersigned agrees that all such work shall be in accordance with the requirements of the Floodplain Development Ordinance and with all other applicable county/city ordinances, federal programs, and the laws and regulations of the State of North Carolina.

Printed Name:

Seal, Signature & Date



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SECTION VIII. PERMIT DETERMINATION (to be completed by FLOODPLAIN ADMINISTRATOR or DESIGNEE)

The project site is located in: Floodway Non-Encroachment Area 1% ACF 1% ACF Future 0.2 % ACF

The regulatory Base Flood Elevation at the site is: _____ Ft. (NAV1988)

The Floodplain Permit Application is approved, the Floodplain Administrator or designee will issue a Floodplain Development Permit with 2 days of this Floodplain Permit Application approval. The floodplain development permit is subject to the following Conditions:

FLOODPLAIN ADMINISTATOR or Designee Name (printed):

TITLE:

SIGNATURE &

DATE:



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SECTION IX. INSPECTIONS & PERMIT TRACKING NOTES
(to be completed by FLOODPLAIN ADMINISTRATOR or DESIGNEE)

Inspected by:

Deficiencies:

No, Based on inspection of the project or evaluation of asbuilt conditions the Floodplain Permit Requirements are complete, and based on inspection of the project and evaluation of asbuilt conditions the development conducted in the floodplain is in compliance with the community's local law for flood damage prevention.

Yes, Approved, Based on inspection of the project or evaluation of asbuilt conditions the following is required to ensure compliance with the community's local law for flood damage prevention:

Additional Inspection Comments:

Inspection Signature: _____ Date: _____

SECTION X. PERMIT CLOSEOUT & HOLD RELEASE (to be completed by FLOODPLAIN ADMINISTRATOR or DESIGNEE)

Final approval and floodplain permit closeout out Issued, removal of holds by floodplain approved.

FLOODPLAIN ADMINISTRATOR or DESIGNEE Name (printed): _____

TITLE: _____

SIGNATURE & DATE: _____