

Memorandum

To: Projects, Programs, and Operations Subcommittee
From: Lori Laster, Stormwater Management Engineer
Date: November 8, 2011
Re: Missouri River Floodway Purchase Program – Douglas County

The District has historically administered the Floodway Purchase Program with equal cost share between the District and the jurisdiction involved with a buy out.

In light of the 2011 flooding on the Missouri River, there has been renewed interest in the Floodway Purchase Program.

District staff was contacted by the Douglas County Emergency Manager and the City of Omaha to set up a meeting with the Nebraska Emergency Management Agency, FEMA, Department of Natural Resources, County representatives and the District to discuss the potential for federal grants and buy out programs.

At this time, Hazard Mitigation Grant Program (HMGP) funds are available from FEMA for buyout projects. The HMGP would provide 75% of the funds required for purchase of the land and structures, as well as demolition costs. The deadline for submittals this year is mid December and so it is imperative that if the residents and the County would like to pursue federal funds for the upcoming FY12, the application would need to begin as soon as possible.

The District would act as the applicant for the purposes of the grant application if the County and the City choose and will coordinate the necessary actions to complete purchase and demolition. It is proposed that a consultant be hired to prepare the application because of the detail of the application and the timeframe however, that contract would be expected to be under \$20,000 and management could execute. It is proposed that the County, the City and the District equally share the local cost up to a maximum District contribution of \$250,000.

The Floodway Purchase Program is a voluntary program based on a willing seller and willing buyer basis. Eminent Domain cannot be exercised under this program.

It is Management's recommendation that the General Manager be authorized to fully execute for and on behalf of the District an Interlocal Agreement with Douglas County and the City of Omaha which provides that the District sponsor and apply for FEMA Hazard Mitigation Grant Program funding for eligible floodway buyouts in the County and that the District, Douglas County, and the City of Omaha equally share the non-federal costs of those acquisitions up to a District maximum contribution of \$250,000, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.