

BFE Determination Use and Limitations



Nebraska Statutes:

Nebraska Department of Water, Energy, and Environment (DWEE) provides BFE Determinations to local officials for the purpose of administering floodplain management programs within their jurisdictions. Nebraska State Statute 31-1017 (4) and (6) more specifically say for Floodplain Management Regulations, and defines Floodplain Management Regulations in 31-1012 as “Flood plain management regulations shall mean and include zoning ordinances, subdivision regulations, building codes and other applications of the police power which are authorized by law to secure safety from floods and provide for the reasonable and prudent use of flood plains”.

DWEE BFE Determination Process:

Currently, DWEE provides BFE Determinations for FEMA Zone A special flood hazard areas and DWEE flood awareness areas. BFE Determinations for FEMA Zone AE special flood hazard areas must be determined from the Flood Insurance Study (FIS) tables and profiles using the Flood Insurance Rate Map (FIRM) as reference. DWEE will be available for technical assistance in these areas.

DWEE uses the best available data and basic engineering methods to determine BFEs in FEMA Zone A special flood hazard areas and DWEE flood awareness areas. This typically involves a regression analysis to compute hydrology and a normal depth calculation to develop water surface elevations for the 1-percent annual chance event. Basic engineering methods are established using bare earth topographic data; meaning structures are not considered and field survey is not conducted for use in the analysis.

Acceptable uses:

- Letter of Map Amendments (LOMAs) on existing structures,
- Elevation Certificates on existing structures, and
- Permitting of new structures, although DWEE recommends that a professional engineer perform a site-specific analysis for all new development.

Unacceptable uses:

- Design of developments greater than 5 acres or 50 lots (44 CFR 60.3) and
- Hydraulic structure design.

Community Responsibility:

Communities are responsible for maintaining records of the cumulative effect of proposed development (44 CFR 60.3(c)(10)).

BFE Determination Valid Dates:

The valid dates provided on BFE Determinations are the maximum validation period for the determinations and do not mean they are valid for that entire period. BFE Determinations can be superseded at any time. All future determinations will say Valid from XX/XX/XXXX until superseded to remind users to check on the validity of a BFE before its use.