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MINNESOTA DEPARTMENT OF NATURAL RESOURCES
CENTRAL OFFICE
500 LAFAYETTE ROAD, BOX 25
SAINT PAUL, MN 55155
651-296-6157
888-646-6367

August 15, 2016

The Honorable Gene Winstead
Mayor, City of Bloomington
1800 West Old Shakopee Road
Bloomington, MN 55431

CONDITIONAL STATE APPROVAL OF FLOODPLAIN ORDINANCE & REQUIRED NEXT STEPS

Dear Honorable Mayor Winstead,

The Department of Natural Resources (DNR) received via email on August 8, 2016, a draft floodplain management ordinance for the City of Bloomington from Development Coordinator, Jen Desrude. This ordinance is being adopted in order to incorporate the *Flood Insurance Study, Hennepin County, Minnesota and Incorporated Areas* and the accompanying Flood Insurance Rate Map panels with an effective date of November 4, 2016.

The city should consider a couple of amendments to better comply with state and FEMA standards:

- After taking a closer look at the flood zones in the community, the only flood zones in the community that don't have floodway and flood fringe delineated are basins. Therefore, the city may eliminate the "General Floodplain Area" zone from the ordinance entirely, by revising §21.208.01(k, u, & v) as presented in the enclosed document.
- Please update §21.208.01(cc)(2)(E) to reference §21.208.01(bb)(2)(A). This was incorrectly referenced in the model originally sent to the city, and have updated it accordingly.

These suggested changes are noted in the relevant pages of the enclosed draft.

Apart from the above items, the draft floodplain management ordinance is in compliance with the state floodplain management rules (MR 6120.5000 to 6120.6200) and, to the best of my knowledge, with the floodplain management standards of the Federal Emergency Management Agency. Therefore, in accordance with Minnesota Statutes, Chapter 103F, I hereby give conditional state approval of the draft floodplain management ordinance, provided the above - mentioned revisions are made.

This approval is valid upon adoption of the draft ordinance by the city and receipt by this office of ***one (1) copy each of the adopted ordinance (signed and stamped with the community seal), the affidavit of publication, and the completed "Ordinance Certification Checklist"*** that I have enclosed. Please forward these documents to Ceil Strauss, the DNR's State NFIP Coordinator in St.

Paul at the address above in the header. Upon receipt and verification, Ms. Strauss will transmit one copy of these materials to Mr. John Devine at FEMA's Chicago Regional Office.

Please remember, FEMA must receive a signed, certified, and in-effect ordinance no later than November 4, 2016. To allow sufficient time for processing and transmittal, we request that you submit the requested materials to the DNR no later than November 1, 2016. ***If FEMA has not received the documentation by the map effective date, FEMA will suspend the City from the National Flood Insurance Program.***

Please be advised that any future amendments of this ordinance or change in the designation of flood prone areas require prior approval of the Commissioner. In addition, you are required to send copies of hearing notices and final decisions pertaining to variance, conditional uses, and ordinance amendments to this agency. Please send those to State NFIP Coordinator Ceil Strauss at the above address. Should you have any questions on this ordinance or related matters, please contact Ms. Strauss at (651) 259-5713 or ceil.strauss@state.mn.us.

While our office in St. Paul will continue to be the main contact for the ordinance update, your DNR Area Hydrologist will continue to be your main contact for day to day assistance with administering your floodplain management ordinance and questions about other DNR water-related programs and permits. Your Area Hydrologist is Kate Drewry, who can be contacted at 651-259-5753 or kate.drewry@state.mn.us.

The DNR greatly appreciates your community's cooperation and initiative in providing for the reduction of flood damages through the adoption and administration of this ordinance.

Sincerely,

Jennifer Shillcox
Land Use Section Supervisor

Enclosures: Ordinance Certification Checklist
Draft Ordinance with suggested revisions

ec: Jen Desrude, Development Coordinator – City of Bloomington
Bryan Gruidl, Water Resources Manager – City of Bloomington
Shelly Hanson, Engineer – City of Bloomington
Michael Centinario, Planner – City of Bloomington
Terri Yearwood, DNR Eco-Waters' Regional Manager
Jeanne Daniels, DNR Eco-Waters' District Manager
Kate Drewry, Area Hydrologist

6/04/2013 revision

ORDINANCE CERTIFICATION CHECKLIST

Please sign and return the checklist and all required documents to the DNR Floodplain Program office when completed.

1. _____ **Date(s) of published hearing notice.**

_____

2. _____ **Date(s) of public hearing.**

_____

3. _____ **Date of ordinance adoption. Include 1 certified copy of the adopted ordinance text in its entirety including the signature of the chief elected official and the stamped seal of the community.**

4. _____ **Date of newspaper publication of adopted ordinance. Include 1 copy of affidavit of publication of the adopted ordinance. Publication of an ordinance summary is acceptable by statute.**

5. _____ **Date of official filing of adopted ordinance with County Recorder (_____ record book number and _____ page number). If filing of an adopted ordinance with the county auditor is not a standard practice, please indicate "N/A."**

6. _____ **Board of Adjustment/Appeals has been established (yes or no).**

Note: Cities under charter must also submit a list of any additional requirements for hearings, notices, etc. stated in their charter and not required by statute. Please specify:

_____

_____

_____

_____

Signature of Clerk/Auditor