



FEMA

December 18, 2009



Peter Adler
Chairperson, Pepin County Board of Supervisors
Pepin County Government Center
Post Office Box 39
740 7th Avenue West
Durand, Wisconsin 54736

Dear Mr. Adler:

We appreciate the time and effort that your community has put into assisting us in updating the Department of Homeland Security's Federal Emergency Management Agency (FEMA) floodplain mapping for your area. This responds to comments received from John Egli, Pepin County Land Management Director, in letters dated May 12, 2009, and July 16, 2009, on the Preliminary copies of the Digital Flood Insurance Rate Map (DFIRM) for Pepin County, Wisconsin and Incorporated Areas. Each comment was classified into one of two categories:

Appeal - The formal objection to proposed or proposed modified Base Flood Elevations (BFEs), submitted by a community official or an owner or lessee of real property within the community during the statutory 90-day appeal period. An appeal must be based on data that show the proposed or proposed modified BFEs are scientifically or technically incorrect.

Protest - An objection to any information, other than Base Flood Elevations (BFEs), shown on a National Flood Insurance Program (NFIP) map that is submitted by community officials or interested citizens through the community officials during the 90-day appeal or protest period. This may include items such as newer topography and/or incorrect labeling of streets/municipal boundaries.

The comments provided by your community are considered protests. The following summarizes your community's concerns and any action and/or guidance resulting from our review:

Bridge Labels - The County has stated that the Flood Profile for the Chippewa River, in the Pepin County FIS, incorrectly labeled U.S. Highway 10 as U.S. Highway 9. We have confirmed that the Highway was mislabeled on the flood profile and have updated the label to read "U.S. Highway 10".

Property Removal From Zone A Floodplain - The County has stated that there are three areas of concern where Pepin County feels there were significant errors in the proposed BFE's and they ask that we revise the BFE's and associated flooding.

- Site 1, property located at SE 1/4, SW1/4, Sec 33 T25N, R12W – This comment refers to an individual property. The submitted data is not sufficient to warrant a change to the floodplain boundaries. Hence, any adjustment to the floodplain should be pursued through the LOMA process.
- Site 2, Lot 6 located at SE 1/4, SW1/4, Sec 29 T25N, R13W –The spot elevations provided show ground elevations near the structure below the BFE, therefore, any adjustment to the floodplain should be pursued through the LOMA process.
- Site 3, property located at NW 1/4, SW1/4, Sec 30 T25N, R12W – The floodplain in the vicinity of U.S. Highway 10 was adjusted based on the DOT bridge analysis provided.

Deer Island – Mr. Rensink requested modification to the Mississippi River floodway boundary on panel 55091C0305D. The information provided was not sufficient to revise the floodway as requested. Any floodway modification requests should be supported by technical data such as hydraulic models showing no adverse impact to the regulatory water surface elevations as a result of the requested revisions.

This letter hereby resolves the protest affecting your community. The next step in the publication process is the issuance of a Letter of Final Determination (LFD). The LFD will finalize the BFEs for your community, initiate the 6-month compliance period, and establish an effective date for the Preliminary FIS report and DFIRM. During the 6-month compliance period, your community will be required, as a condition of continued participation in the NFIP, to adopt or show evidence of adoption of applicable floodplain ordinances.

If you have any questions regarding this matter, please contact Ken Hinterlong at (312) 408-5529, or by e-mail at ken.hinterlong@dhs.gov.

Sincerely,



Norbert F. Schwartz
Director
Mitigation Division

cc: John Egli, Director, Land Management Department, Pepin County
Gary Heinrichs, NFIP State Coordinator
Amanda Schwoegler, Wisconsin DNR Project Manager
Ken Hinterlong, Engineering Services Team Lead, FEMA Region V
Julia McCarthy, Consultation Coordination Officer, FEMA Region V