

Emily Hjulstrom

From: Vicki Wheaton <vickiwheaton@gmail.com>
Sent: Thursday, November 01, 2018 5:23 PM
To: Emily Hjulstrom
Subject: Fwd: BZA Listens and Supports Our Community Again!

Hi Sandy,

It's been a long time since we've seen or communicated with each other. I hope all is well with you & yours.

The Augusta information is FYI.
The information is below my e-mail.

I pray our BZA will be as prudent as Augusta's have been.
A pipe yard pales compared to 11 Variances in our SFHAs.

It would be great to ask FEMA to support our enforcing our FPO at their Meeting on 11/27. Better yet invite them to Nelson for a in depth discussion. It's a chance to put it out on the table...both for County Government & the Public. It's part of the 8 Step Process that Charles Baker refers to in his e-mail to me 1/31/18. Only FEMA can really carry out these 8 Steps as they have the experience that led to them asking Communities to adopt Higher Standards in the first place.

Please forward this to BZA Members.

Thanks for your considerations,
V

On Jan 31, 2018, at 6:48 AM, Baker, Charles <charles.baker@fema.dhs.gov> wrote:

Ms. Wheaton,

Thank you for this additional context. We certainly understand and appreciate the concern you have regarding potential development in your community, and specifically in the floodplain. The Federal Energy Regulatory Commission (FERC) proposed project falls under the provisions of Executive Order (E.O.) 11988. E.O. 11988 requires federal agencies to avoid to the extent possible the long and short-term adverse impacts associated with the occupancy and modification of flood plains, and to avoid direct and indirect support of floodplain development wherever there is a practicable alternative.

Guidelines require agencies to follow an eight-step process that they should carry out as part of their decision-making on projects that have potential impacts to or within the floodplain. The eight steps summarized below reflect the decision-making process required in Section 2(a) of the Order:

1. Determine if a proposed action is in the base floodplain (that area which has a one percent or greater chance of flooding in any given year).

2. Conduct early public review, including public notice.
3. Identify and evaluate practicable alternatives to locating in the base floodplain, including alternative sites outside of the floodplain.
4. Identify impacts of the proposed action.
5. If impacts cannot be avoided, develop measures to minimize the impacts and restore and preserve the floodplain, as appropriate.
6. Reevaluate alternatives.
7. Present the findings and a public explanation.
8. Implement the action.

Another area of concern you stated is related to the variance request from the local floodplain management ordinance. Variance requirements are based on the general principles of zoning laws in State statutes. The minimum floodplain requirements for communities participating in the National Flood Insurance Program (NFIP) are designed to ensure the practice of sound floodplain management. (See 44 Code of Federal Regulations (C.F.R.) §60.6.). To grant a variance from floodplain ordinances, in addition to meeting the requirements set out by State law, the community must determine:

- Good and sufficient cause and exceptional hardship exist;
- The variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and
- The variance is the minimum action necessary to afford relief.

If the required standards of State law, local ordinances, and 44 C.F.R. §60.6 are closely adhered to, granting variances from floodplain ordinances should be rare.

Thank you,

Charles Baker
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aka Abadidi



Begin forwarded message:

From: Augusta County Alliance <info@augustacountyalliance.org>
Date: November 1, 2018 at 4:27:24 PM EDT
To: vickiwheaton@gmail.com
Subject: BZA Listens and Supports Our Community Again!
Reply-To: info@augustacountyalliance.org



Dominion Pipe Yard Denied Again!

We are thrilled to report that the Augusta County Board of Zoning Appeals voted 4-1 this afternoon to deny Dominion’s application for an industrial pipe yard in West Augusta.

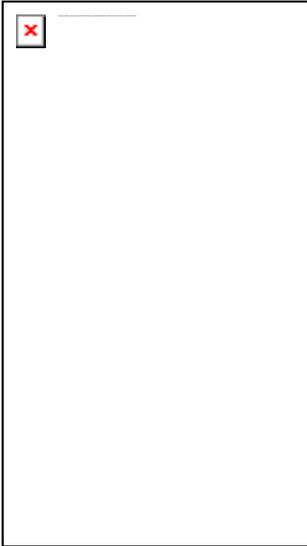
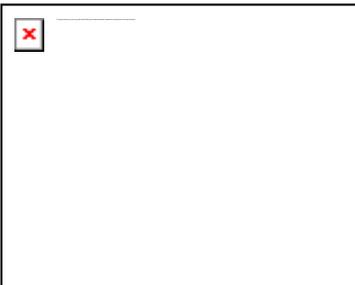
Here’s the [News Leader’s breaking coverage](#) of the decision and [our opinion column](#) yesterday.

Enormous thanks to the thoughtful BZA members who listened carefully to citizens' concerns.

And thanks to all of you who made your voices heard! I am proud of our community today.

This pipeline is not a done deal.

Nancy Sorrells
Coordinator, Augusta County Alliance
info@augustacountyalliance.org
Augusta County Alliance is proud to be part of Alliance for the Shenandoah Valley.



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