

**Appendix F**  
**Public Review Comments and Responses**

## Appendix F

### Public Review Comments and Responses

The May 2010 Draft EA for the Third and Incline Creeks Restoration, Phase II, and its appendixes, prepared by the Corps, were distributed to the public on June 1, 2010. The public comment period closed on July 2, 2010. The submitted comments are included in this Appendix of the EA. Comments were received from:

- U.S. DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY

The Corps received public comments from one Federal agency on the Draft EA. This document presents all comments submitted by Federal and State agencies and local interests regarding the Draft EA for the proposed Third and Incline Creeks Restoration, Phase II and also presents responses to those comments. The National Environmental Policy Act requires the Federal lead agency to respond to public comments received during the public review period. This document has been prepared in accordance with these requirements.

The responses below clarify information in the Draft EA as indicated in the responses to the comments.

GREGOR BLACKBURN, CFM, BRANCH CHIEF, FLOODPLAIN MANAGEMENT AND INSURANCE BRANCH, U.S. DEPARTMENT OF HOMELAND SECURITY, FEMA REGION IX

COMMENTS RE: This is response to your request for comments on the Draft Environmental Assessment (EA) and Finding of No Significant Impact for the Section 108 Third and Incline Creeks Restoration Project, Phase 2, Washoe County, Nevada.

1) COMMENT: *Please Review the current effective countrywide Flood Insurance Rate Maps (FIRMs) for the County of Washoe (Community Number 320019), Maps revised March 16, 2009. Please note that the County of Washoe, Nevada is a participant in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65.*

RESPONSE: There are no buildings proposed as a part of this project.

2) COMMENT: *A summary of these NFIP floodplain management building requirements are as follows: All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.*

RESPONSE: There are no buildings proposed as a part of this project.

3) COMMENT: *If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any **development** must not increase base flood elevation levels. The term **development** means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials. A hydrologic and hydraulic analysis must be performed prior to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.*

RESPONSE: Hydrologic and hydraulic analyses were performed during project planning and design by ENTRIX and indicate that the project would not cause a rise in base flood levels. The project may result in reduced flood elevations as a result of replacing the existing culverts at Incline Way which have greater capacity than the existing culverts and would allow more flow to remain in the channel.

5) COMMENT: *Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at <http://www.fema.gov/business/nfip/forms.shtm>.*

RESPONSE: See responses to comments 1, 2, and 3 above. As noted Section 5.1 of the EA (Executive Order 11988, Floodplain Management), this project would not raise flood elevations or increase the risk of flooding. In addition, as noted in Section 3.1.8 of the EA, "The culvert replacement and design proposed for Third and Incline Phase II would maintain flood water in the channel. This would reduce flood damage to roads and other public works. The final design of the replacement structures and the downstream channel would accommodate the flood flow within the channel and with non-erosive velocity."

6) COMMENT: **Please Note:** *Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The Washoe County floodplain manager can be reached by calling Kimble O. Corbridge, Assistant Public Works Director, at (775) 328-2045.*

RESPONSE: Washoe County has been involved in the planning and design of the project. Washoe County has participated in TAC meetings and has reviewed and commented on the design plans for the project. The project complies with Washoe County requirements including those for floodplain management.



**FEMA**

June 21, 2010

Mario Parker (CESPK-PD-R)  
Department of the Army  
U. S. Army Engineer District, Sacramento  
Corps of Engineers  
1325 J Street  
Sacramento, California 95814-2922

Dear Mr. Parker:

This is in response to your request for comments on the Draft Environmental Assessment (EA) and Finding of No Significant Impact for the Section 108 Third and Incline Creeks Restoration Project, Phase 2, Washoe County, Nevada.

Please review the current effective countywide Flood Insurance Rate Maps (FIRMs) for the County of Washoe (Community Number 320019), Maps revised March 16, 2009. Please note that the County of Washoe, Nevada is a participant in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.
- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any **development** must not increase base flood elevation levels. **The term *development* means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.** A hydrologic and hydraulic analysis must be performed *prior* to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.

Mario Parker (CESPK-PD-R)

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- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at <http://www.fema.gov/business/nfip/forms.shtm>.

**Please Note:**

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The Washoe County floodplain manager can be reached by calling Kimble O. Corbridge, Assistant Public Works Director, at (775) 328-2045.

If you have any questions or concerns, please do not hesitate to call Sarah Owen of the Mitigation staff at (510) 627-7050.

Sincerely,



Gregor Blackburn, CFM, Branch Chief  
Floodplain Management and Insurance Branch

cc:

Kimble O. Corbridge, Assistant Public Works Director

Kim Groenewold, Nevada Department of Conservation & Natural Resources, Division of Water Resources

Sarah Owen, Floodplanner, CFM, DHS/FEMA Region IX

Alessandro Amaglio, Environmental Officer, DHS/FEMA Region IX