

AMENDMENTS TO LB1201

Introduced by Natural Resources.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. The Legislature finds and declares that the State of
4 Nebraska experienced a historic flood event in 2019. This flood event
5 significantly impacted numerous communities and individual Nebraskans.
6 Coordination and communication between state and local entities
7 implementing flood mitigation strategies is essential to maximize federal
8 funds for flood mitigation efforts.

9 Sec. 2. The Department of Natural Resources shall develop a state
10 flood mitigation plan as a stand-alone document to be annexed into the
11 state hazard mitigation plan maintained by the Nebraska Emergency
12 Management Agency. Such plan shall be structured in accordance with
13 Federal Emergency Management Agency guidelines, and shall be
14 comprehensive, collaborative, and statewide in scope with opportunities
15 for input from diverse stakeholders.

16 Sec. 3. The Department of Natural Resources shall convene a plan
17 development group which shall be housed and staffed for administrative
18 purposes within such department. The Department of Natural Resources
19 shall engage with federal, state, and local agency and community
20 stakeholders in the development of the state flood mitigation plan,
21 including, but not limited to, the Department of Transportation, the
22 Department of Environment and Energy, the Department of Economic
23 Development, the Department of Agriculture, the Nebraska Emergency
24 Management Agency, natural resources districts, the United States
25 Department of Agriculture, the United States Army Corps of Engineers, the
26 United States Geological Survey, the Federal Emergency Management Agency,
27 the University of Nebraska, representatives of counties, municipalities,

1 and other political subdivisions, and the Natural Resources Committee of
2 the Legislature. The Department of Natural Resources may engage other
3 sources to provide technical expertise as needed.

4 Sec. 4. The Department of Natural Resources shall:

5 (1) Evaluate the flood issues that occurred in 2019, and identify
6 cost-effective flood mitigation strategies that should be adopted to
7 reduce the disruption of lives and livelihoods and prioritize making
8 Nebraska communities more resilient;

9 (2) Identify opportunities to implement flood hazard mitigation
10 strategies with the intent to reduce the impact of flood events;

11 (3) Work to improve knowledge and understanding of available
12 recovery resources while identifying potential gaps in current disaster
13 program delivery;

14 (4) Identify potential available funding sources that can be
15 accessed to improve the resilience of the state through flood mitigation
16 and post-flood disaster recovery. The funding sources shall include, but
17 not be limited to, assistance from (a) the Federal Emergency Management
18 Agency's Flood Mitigation Assistance Grant Program, Building Resilient
19 Infrastructure and Communities Grant Program, Hazard Mitigation Grant
20 Program, Public Assistance Program, and Individual Assistance Program,
21 (b) the United States Department of Housing and Urban Development's
22 Community Development Block Grant Program and Community Development Block
23 Grant Disaster Recovery Program, and (c) programs of the United States
24 Department of Agriculture's Natural Resources Conservation Service.
25 Identification of such funding sources shall be in addition to grants and
26 cost-sharing programs available through other agencies that support flood
27 hazard mitigation planning in communities;

28 (5) Compile a centralized list of critical infrastructure and state-
29 owned facilities and identify those with the highest risk of flooding. In
30 compiling such list, the Department of Natural Resources shall consult
31 and collaborate with other state and local agencies that have information

1 that identifies vulnerable facilities;

2 (6) Include an evaluation of state laws, rules, regulations,
3 policies, and programs related to flood hazard mitigation and development
4 in flood hazard-prone areas to support the state's administration of the
5 Federal Emergency Management Agency's National Flood Insurance Program,
6 Community Rating System, and Risk Mapping, Assessment, and Planning
7 Program;

8 (7) Examine existing law and, if necessary, recommend statutory or
9 administrative changes to help ensure collaboration and coordination
10 between state and local entities in statewide flood mitigation planning;
11 and

12 (8) Hold two public hearings, one prior to the first state flood
13 mitigation plan development meeting and one prior to the completion of
14 such plan. Notice of each hearing shall be published at least thirty days
15 prior to the hearing date.

16 Sec. 5. The state flood mitigation plan shall be completed and
17 reported to the Governor and electronically to the Legislature on or
18 before December 31, 2021.