Chairman Willingham called this special meeting of the Rusk County Zoning Committee to order at 3:31 p.m. in the Law Enforcement Center at the Rusk County Courthouse. Members present were Dave Willingham, Kathy Mai, Tom Costello and Phil Schneider. Member absent: Cliff Taylor. Staff present: CeCe Tesky.

Discussion about Technical Coordination Meeting held with FEMA on 12/15/09. Summary is attached.

Committee asked Tesky to let FEMA know that their next meeting is 12/6/10 and they would like to have FEMA’s recommendations by that time, so the committee can take action on forwarding amendments to the county board.

Willingham adjourned the meeting at 4:16 P.M.

CeCe Tesky
Zoning Administrator
This meeting was held at the suggestion of FEMA in response to issues that Rusk County has with the proposed floodplain maps.

Participants: Lee Traeger-FEMA Region V, Bob Watson-Wisconsin Department of Natural Resources, Larry Gotham-Rusk County Engineer, CeCe Tesky-Rusk County Zoning Administrator.

Others Attending: Tom Costello – Rusk County Board of Supervisors, Jason Gillis – Town of Big Falls, John Stencil – Rusk County Board of Supervisors and Town of Big Bend Chairman, Rich Summerfield – Rusk County Corporation Counsel, Randy Tatur – Rusk County Board Chairman, Mary Williams – 87th District State Representative, John Gozdzials – Wisconsin Department of Natural Resources, David Willingham – Rusk County Board of Supervisors and Zoning Committee Chair.

Tesky explained that the meeting would be held between the participants, with limited input from others attending. She gave a brief overview of the series of events that lead to this meeting, beginning with the appeal submitted in November 2008, followed by the response to the appeal from FEMA received in June 2009, to requests for a delay in the Letter of Final Determination, to the issuance of the Letter of Final Determination in early August. The concerns that the county had in the appeal were not adequately addressed and that is the reason that the county continues to have concerns. The county wants to have reasonable maps to be able to adopt because of the potential for flooding in the county, however, they do not want to place unnecessary burden on property owners by adopting maps that are unreasonable.

The goals and objectives of the meeting, as presented by Rusk County, were discussed. (see end of summary)

The participants went through each of the reports recently completed by Tesky to show the elevation difference between the existing mapped floodplain, historical floodplain and the proposed mapped floodplain in specific “approximate” areas.

1) **Big Falls Flowage** – existing mapped floodplain follows 1240’ contour, proposed mapped floodplain follows 1250’ contour. During 1994 flood of record, historical flood elevation was 1234.5’ according to WDNR notes on HWM (High Water Mark) locations taken after the 1994 event. A comparison of HEC-RAS models at the Big Falls tailwater also shows a 15’+ discrepancy between the “approximate analysis” and the detailed study elevation at the same location.

2) **Thornapple River near CTH A** – existing mapped floodplain follows 95.55’ contour (local datum), proposed mapped floodplain follows 105.05’ contour, historical flood elevation is 94.95’ based on property owner’s observation.

3) **Lone Pine Road and Buff Creek** – there is no existing mapped floodplain in this specific area, proposed mapped floodplain follows 113.03’ contour (local datum), historical flood elevation is 97.05’ based on property owner’s observation.

4) **Chippewa River South of Bruce** – existing mapped floodplain follows 90.83’ contour (local datum) – this represents a 1080’ contour on quad map, proposed mapped floodplain follows 95.85’ contour – this represents a 1090’ contour on quad map, historical flood elevation is 89.6’ based on property owner’s witness. HWM established by WDNR in 1994 just upstream of this location at the USH 8 bridge was 1078.8’.
5) **Chippewa River North of Bruce** – existing mapped floodplain follows 87.7’ contour (local datum), proposed mapped floodplain follows 96’ contour, historical flood elevation is 87.5’ based on property owner’s observation.

6) **Devils Creek at CTH O Near Fire Lane** – existing mapped floodplain follows 98.45’ contour (local datum), proposed mapped floodplain follows 109.4’ contour, historical flood elevation is 98.45’ based on local resident observation. Gotham provided additional information from the bridge data at this location.

7) **Devils Creek at CTH O Near Paddock Rd** – existing mapped floodplain follows 96.7’ contour (local datum), proposed mapped floodplain follows 99.1’ contour, historical flood elevation is 96.2’ based on property owner’s observation. While not a significant increase in elevation on the proposed maps, expansion has increased width of floodplain by more than ½ mile at this location.

Also discussed was the **Island Chain of Lakes**. Watson brought a detailed aerial map of the area showing preliminary mapped floodplain and current proposed mapped floodplain. DNR counted presumed dwellings around the chain and established that there were 316 dwellings in the mapped area on the preliminary maps and there are now 128 with the current proposed map. With the current maps, there are no dwellings in floodplain on the Island Chain of Lakes. They established an approximate flood elevation on the chain of 1074.6’ and property owners can use this elevation for LOMA’s. This flood elevation assumes 4.5’ of water going over the Island Lake dam. Watson offered that the WDNR would do a study on the Island Chain of Lakes if either the county or property owners would obtain the field survey data around each dwelling. Discussion about the comparison between LOMR’s and individual LOMA’s. Rusk County is completing a dam break analysis on the Island Lake dam, which will result in a detailed flood elevation being established on the chain.

Rusk County also provided 4 detailed studies done since the appeal was submitted in November. There were 3 studies on the Chippewa River north of Bruce and 1 study on Main Creek south of Glen Flora. They show that when detailed case-by-case studies are done, the resulting RFE is consistently lower than the existing mapped floodplain. Again, showing how the expansion of the zone A areas on the proposed maps is unreasonable.

Additional questions presented by Gotham included specific questions about the Flood Insurance Study and errors that are present.

- Section 2.3 indicates that a flow of 24,100 cfs on the Flambeau River would be a Q60, when 23,300 cfs was used in models as the Q100.
- Table 4 on page 7 shows two County Highway E bridges, when in reality, there is only one in the studied area. It is believed that the second “County Highway E” should be “County Highway D”.
- Page 9, just below Table 5, indicates that “The WSEL for the Chippewa is based on the normal pool elevation of Lake Holcombe in downstream Chippewa County. The rating curve for Lake Holcombe Dam indicates that it can pass floods greater than the .2-percent-annual-chance flood at normal pool.” The normal pool elevation on Lake Holcombe is either 1044’ or 1045’ depending on which topo map you look at, however, the elevation at this location on the study shows 1046’.
- The location of the CTH D bridge on the Chippewa River is not correct. The contractor that performed the study drew in the location incorrectly. This inaccurate depiction of where it is located does affect the profile and needs to be corrected. It is located on DFIRM Panel 687.

Discussion about the county doing LiDAR and how beneficial this would be in completing approximate studies. Tesky pointed out that the county had no reason to think that Zone A areas would expand, since flooding has not occurred outside of currently mapped areas and it is difficult to spend $250,000 on a project, just to disprove something that is unreasonable to begin with.
Discussion about the flood of record revealed that, according to the FIS, the flood of record for both the Chippewa and Flambeau Rivers was September, 1994. The FIS shows the Chippewa River as having a 250 year event at that time and the Flambeau River as having a 60 year event. The latter is under question. A larger event occurred in the Northwest part of the county in October 2005, which would affect the flood of record for many smaller streams in that area.

Discussion concerning flood insurance. Traeger indicated that there are 2 repetitive loss claims in Rusk County and he would like to determine where these locations are at. He indicated that flood insurance is only “required” on the amount of the loan, rather than the total value of the improvement. If the county is not in compliance with NFIP, property owners will not be eligible for federally backed loans and flood insurance. Traeger indicated that there are currently 40 policies in effect in Rusk County unincorporated areas. The county has sincere concerns about flood insurance and mortgage issues, as well as eligibility for community block grants which the community participates in on a regular basis. This is the reason that Rusk County wishes to continue to be in the NFIP, however, with reasonable maps. Willingham asked if there could be some way for FEMA to do a “provisional” approval of the 1987 maps so the county would be able to re-adopt them as their regulatory map.

Discussion about which areas the county would prioritize if there was to be some assistance provided in establishing detailed studies. Tesky indicated that while there are several areas of expanded A zones (as indicated on the county’s request) all the areas discussed today would be a priority. Potato Lake is a priority, as well, but is not in an expanded area. There are also other expanded areas where there are no dwellings affected.

Rusk County’s Request:
Since the proposed maps show unreasonable expansion of the Zone A areas, Rusk County would like to be able to re-adopt their existing 1987 maps, because they more accurately represent a reasonable 1% annual flood chance. In addition to this re- adoption, Rusk County would adopt the approved study along the Flambeau and Chippewa Rivers. If FEMA would accept additional data such as was submitted today, that could substantiate changes to the maps, Rusk County would willing to provide that.

Meeting Results:
Traeger indicated that he needed to discuss the information that was presented today with WDNIR, FEMA managers and directors and he expected a short turn-around on making recommendations for the county.
Rusk County’s Requests for Technical Coordination
Meeting between FEMA, Rusk County and WDNR
12/15/09

Goal: Provide accurate flood plain maps to the Rusk County Board of Supervisors for approval at the January meeting.

To meet the above goal the following items are proposed for discussion:

1) In general, Rusk County agrees with the current 1987 flood plain maps and subsequent studies (LOMAs, detailed studies, etc.). Discuss Rusk County adopting the existing 1987 maps for the unstudied areas, along with the approved detailed study of the Chippewa and Flambeau River (errors must first be corrected), and all other detailed studies of record.

2) We will provide study information completed since the 1987 maps were created. (With 100% consistency, subsequent detailed studies completed in existing Zone A areas have reduced the mapped AE areas significantly. This demonstrates that the Zone A areas of the 1987 maps were more than adequate in mapping the flood hazard area.).

3) We will inspect all existing Zone A areas from the 1987 maps for historical accuracy and provide documentation to substantiate the same.

4) If any Zone A area from the existing 1987 maps does not appear to adequately include all flood hazard areas we will request the DNR/FEMA to assist in developing a detailed study.

5) Rusk County will fund a detailed study to determine the RFE for Island Lake, McCann Lake, Chain Lake and Clear Lake. The results of this study will be adopted upon approval by WI DNR.

The premise for the above discussion is the fact that areas of expanded Zone A do not represent historical floods. In general, the 1987 maps better represent “floods of record” than the proposed maps. NR 116 and WI Stats. 87.30 both require that the maps be reasonable, and include historical flood data to demonstrate consistency with past flood events. If Rusk County Board of Supervisors adopts the maps as presented they will knowingly violate the Administrative Code and the WI Statutes. The following are areas of concern:

AREAS OF EXPANDED ZONE A
1. Island Chain of Lakes – Rusk, Big Bend
2. Big Falls Flowage – Big Falls
3. Wiergor/Buff Creek – Murry
4. Clear Creek – Murry
5. Alder Creek - Atlanta
6. Becky Creek - Atlanta
7. Devils Creek – Atlanta
8. Thornapple River – Hubbard, Flambeau, Thornapple
9. Twin Creek – Thornapple
10. Chippewa River – Atlanta, Thornapple, Stubbs
11. Bog Lake – Big Bend
12. Soft Maple Creek – Stubbs, Big Bend