

Lower Heart River Flood Risk Reduction Project Frequently Asked Questions

1. What is the purpose of the project?
 - To make necessary improvements to the levee system to retain accreditation from FEMA. If this project is not implemented, the levee would be de-accredited and property owners within the inundated area would be subject to flood insurance requirements from the National Flood Insurance Program. An additional consequence would be decreased property values which would have a negative economic impact on the whole community.

2. What is an inundation area?
 - An inundation area is the area that would be subject to flooding during a flood event. This is also sometimes referred to as a floodplain. Throughout this document, those parcels within the inundation area are referred to as “inundated”.

3. Why is the City of Mandan involved in this project?
 - Based on discussions between the Lower Heart River Water Resource District (LHRWRD) and the City of Mandan (City), it was recommended the assessment of the local cost share for this project should follow the City’s special assessment process since the majority of the benefits of the project fall within the City’s corporate limits. The North Dakota Century Code provides cities with the authority to levy assessments on private property for public improvements.

4. What are the other funding sources for the project?
 - To date, the LHRWRD has been the lone funding source on a local level. Additionally, the North Dakota State Water Commission has provided cost share grants to fund feasibility studies, preliminary design, and final design of the project. FEMA has contributed to a portion of the geotechnical investigation, and the LHRWRD and Morton County are applying for a Building Resilient Infrastructure and Communities (BRIC) grant, also through FEMA. It is anticipated the North Dakota State Water Commission will provide additional grant funding for construction as well.

5. What is the project timeline?
 - The preliminary design for the project is ongoing. The final design and Conditional Letter of Map Revision (CLOMR) tasks will begin in early 2022. The bidding and construction for the project will begin in January 2023. The project is scheduled to be completed by December 2025.

6. How were the ratios of benefits for the local cost share determined?
 - In consultation between the City and the LHRWRD, an equitable assignment of benefits was determined to be 65% of the total local cost to the inundated parcels and 35% of the total local cost to non-inundated parcels.

7. Why are properties outside of City limits not included in this assessment?
 - North Dakota Century Code 40-22-10 does not allow city-wide special assessments to include any properties outside of City boundaries.

8. If the levee is de-certified and flood insurance is necessary, how much does that cost versus the proposed special assessments?
 - Flood insurance premiums vary from property to property. However, these annual premiums would be more costly than the annual costs for the proposed special assessments and would continue on indefinitely.

9. Can property owners protest the project?
 - There will be a 30-day protest period where property owners within the assessment district can protest the special assessment. The City Administrator will receive written protests beginning on January 28, 2022 and ending February 28, 2022.

10. What is the 1%-annual-chance flood event?
 - This is the event that has a 1% chance of occurring or being exceeded in any year. It is also known as the base flood event or 100-year flood event. FEMA requires levees to provide protection from flooding for the base flood event plus an additional height of levee called “freeboard”.

11. How was the inundation boundary determined?
 - A hydraulic analysis was performed to model the 1%-annual-chance flood event in a no-levee scenario. The properties within the inundation boundary would have some level of flooding if the levee were not present.

12. How does the levee benefit me if my property will not be inundated during the 1%-annual-chance flood event?
 - It protects critical City infrastructure from being inundated during the 1%-annual-chance flood event, which is a benefit to everyone in the City. This infrastructure includes facilities such as the wastewater treatment facility, master lift station, fire stations, public works facility, City Hall, two elementary schools, etc.

13. Why is my property shown as within the inundation area even though I have a Letter Of Map Revision/Letter Of Map Amendment (LOMR/LOMA) that indicates my home is outside of the floodplain?
 - The inundation area represents the hydraulic analysis for the 1%-annual-chance flood event from the Heart River for the condition where FEMA has de-accredited the levee system (a no-levee scenario). The need for a LOMR/LOMA could be a result of the regulatory floodplain representative of Missouri River flooding.

14. Why is my property shown as inundated but my neighbor's property is not?
 - Based on the hydraulic analysis, a portion of your property would be inundated during the 1% chance event from the Heart River with a de-accredited levee system while your neighbor's property would not be inundated.

15. How does my property benefit more from the project (within inundated area) than the rest of the City?
 - Based on our analysis, your property would have some level of flooding during a 1%-annual-chance event from the Heart River with a de-accredited levee system. Therefore, your property would receive a direct benefit of not being subject to flood insurance premium requirements and a direct benefit in receiving direct reduction of flood risk, while still receiving the indirect benefits the rest of the City receives.

16. Will there be any upstream or downstream impacts?
 - Hydraulic models show that the project will not have any upstream or downstream impacts such as higher water surface elevations or increased flow velocities.

17. Are commercial properties treated differently than residential properties?
 - Yes, they are weighted heavier using the contribution factors. The commercial properties are assigned a factor of 1.25 while residential and agricultural properties are assigned a factor of 1.00. This is done as commercial properties would pay more in flood insurance premiums due to higher property values.

18. Are mobile home parks considered residential or commercial properties?
 - A mobile home park is shown as a commercial property. Note, commercial and residential properties in this context is determined by taxing category and is not related to zoning designation.

19. Are apartment buildings considered residential or commercial properties?
 - Apartment buildings are shown as a commercial property. Note, commercial and residential properties in this context is determined by taxing category and is not related to zoning designation.



20. Are vacant properties assessed?

- Yes, these properties are being protected as a result of this project. Any future development on vacant lots would be protected by this project. Given their taxing category as commercial, they are assessed at a commercial rate.

21. Are public properties treated differently?

- No, public properties are not assessed differently, with the exception that federal and state properties cannot be assessed.

22. When will property owners receive the bill for the special assessments?

- After the project is completed, the Special Assessment Chairman is notified to levy costs to properties within the assessment district. The costs are assessed annually over 15 years.

23. Can I protest my special assessment?

- Once property owners receive their special assessment, they have the right to protest at a scheduled public hearing before the Special Assessment Commission. If the property owner's protest is denied, the individual may appeal that decision before the City Commission.

24. What information has been published for the public?

- Prior to the City Commission meeting, no documents had been published for the public. The LHRWRD holds monthly meetings that are open for public attendance.

25. Where can I find more information?

- A website will be launched in the coming weeks and will include project information and mapping exhibits.

26. Who do I contact for more information?

- Reach out via email at Connect@lowerheartriver.com