



Land Use Regulations and Floodplain Management

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The National Flood Insurance Act of 1968

- Created National Flood Insurance Program to:
 - Transfer the costs
 - Distribute responsibility to all levels of government
 - Set national standards
 - Identify flood-prone areas
 - Reduce flood damages

Legal Foundations of the National Flood Insurance Program and “No Adverse Impact”

- Avoiding the takings issues in floodplain management
- Application of the doctrine of the average reciprocity of advantage and protection of private property rights
- Liability for flooding dams and levees
- Understand *Rapanos* and determining wetlands limits
- Relationship of floodplain management with stormwater management and wetlands protection