



## **FREQUENTLY ASKED QUESTIONS ABOUT THE CDC PROCESS**

The purpose of this brochure is to answer questions that you might have about the CDC Process. We hope to work with you to build a more flood-resistant community.

## **Introduction**

The Corridor Development Certificate (CDC) Manual and Process affirm local government authority for local floodplain management and establish a set of common regional criteria and procedures for development within the Trinity River Corridor. The goal of the Corridor Development Certificate Process is the stabilization of flooding risks along the Trinity River Corridor in North Central Texas. The CDC does not prohibit floodplain development, but ensures that any development that does occur in the floodplain will not raise flood water levels or reduce flood storage capacity.

Under the CDC, local governments retain ultimate control over floodplain permitting decisions, while other communities along the Trinity River Corridor are given the opportunity to review and comment on projects in their neighbor's jurisdiction. As the Metroplex economy continues to grow and develop, the CDC will prevent increased flood risks.

## **What cities and counties participate in the CDC Process?**

The local governments with development permitting authority within the Trinity River corridor which are currently implementing the CDC are:

Arlington    Coppell    Farmers Branch    Grand Prairie    Lewisville    Tarrant County  
Carrollton    Dallas    Fort Worth    Irving    Dallas County

## **Where is a CDC required?**

A CDC is required if a project is located within the Trinity River Regulatory Zone, which is the FEMA 100-year floodplain. The Regulatory Zone is specifically delineated on the digital Trinity River Corridor Map, which is available from your local CDC/Floodplain Administrator.

## **What type of development needs a CDC?**

Any public or private development within the Regulatory Zone must obtain a CDC prior to start of any development activity, unless specifically exempted. Please see your local CDC/Floodplain Administrator for more details.

## **What permit criteria must projects in the CDC Regulatory Zone meet?**

Projects located within the Regulatory Zone must meet common permitting criteria to ensure that the projects do not raise the water level and exacerbate flooding. These common permit criteria include:

- no increase in the 100-year flood elevation and no significant increase in the Standard Project Flood elevation
- a maximum allowable loss of valley storage in the 100-year Flood and Standard Project Flood discharges of 0.0% and 5.0%, respectively
- no creation of or increases in erosive water velocity on-site or off-site

The information included in the CDC Application should demonstrate, through submission of appropriate hydraulic data, that the above criteria have been met.

**What is the first step in the CDC application process?**

The CDC/Floodplain Administrator shall hold an initial pre-application consultation with potential Applicants.

**What mapping is available to aid in completing the CDC application?**

As part of the development of the CDC Process, 2-foot contour interval topographic mapping has been developed, which includes approximately 240 square miles of the Upper Trinity River Watershed, indicating roadways and other major topographic features. The mapping provides a consistent base for all the cities/counties in the Trinity River Corridor and is available from participating local governments and the North Central Texas Council of Governments.

Maps of the Regulatory Zone (the FEMA 100 year floodplain) can be found at the FEMA Map Service Center ([www.msc.fema.gov](http://www.msc.fema.gov)). However, the Floodplain Administrator will provide the final determination on projects subject to the CDC process.

**What model should be used to evaluate the hydraulic impacts of proposed development?**

The US Army Corps of Engineers (USACE) maintains the CDC Model and updates the model to incorporate floodplain development. This model provides a consistent basis for communities and developers to analyze impacts of proposed development.

**What is the fee for submitting a CDC application?**

CDC Applicants for development activities within the Regulatory Zone and within a hydraulically effective flow area will submit a \$5,750 fee. For development activities located within both the 100-year and SPF ineffective flow areas, Applicants will submit a \$3,250 fee. CDC Applicants for development activities within the 100-year ineffective flow area but within the SPF effective flow area will submit a \$5,750 fee. The CDC fee is the same regardless of whether or not the project will require a Section 404 permit. Projects requiring more extensive analysis must pay for additional Technical Review. These additional costs will be billed by the USACE on a per hour basis beyond the base fee.

**What happens to a CDC application after it is submitted?**

The CDC application is forwarded to each of the local governments in the Trinity River Corridor for review and comment. The US Army Corps of Engineers will provide a Technical Review, upon request, of the data contained in the CDC application. Each individual local government, however, retains authority over final local development decisions.

### **Are there any exemptions to the CDC Process?**

Yes. An exemption to the CDC Process may be issued for specific activities outlined in the CDC Manual. Please refer to Section 1.6 of the CDC Manual.

### **Are variances from the common permit criteria allowed?**

Yes. Under certain circumstances the local government may issue a variance from the common permit criteria. Any development that cannot meet the established criteria detailed in the CDC Manual may request a variance. A variance shall be any modification of the literal provisions of the CDC Manual when strict enforcement of the CDC would cause undue hardship, owing to circumstances unique to the individual property on which variance from the process is requested. Variances may also be issued for public projects deemed to be in the overall regional public interest, as determined by the jurisdiction's policy-making body.

An Applicant seeking a variance must, like any other Applicant, complete the CDC application form and undergo regional Review and Comment by the participating CDC permitting entities. They must also undergo a Technical Review by USACE and complete a Variance Request Form.

### **Are there any penalties for failure to comply with CDC regulations?**

Yes. Failure to comply with the provisions outlined in the CDC Manual will result in the penalties provided under the floodplain management ordinance or regulations of the jurisdiction.

### **Does the CDC Process add burdensome new regulatory requirements?**

The CDC Process allows parallel review of the various federal, state, and local regulatory permits required for floodplain development to occur simultaneously. This feature of the CDC Process ensures that no additional time is added to the local development decision-making process and that ***the overall federal, state, and local approval process is streamlined for quicker decision-making.***

### **For More Information**

You may download a copy of the CDC Manual and find more information about the CDC Process at <http://www.nctcog.org/envir/> . For further questions, please contact NCTCOG's Environment and Development Department at 817-695-9210 or at [EandD@nctcog.org](mailto:EandD@nctcog.org).

DATE: 02/30/2009

UPDATED: 07/22/2016