

**Title 15. Natural Resources and Economic Development**  
**Chapter I. Arkansas Natural Resources Commission, Department of**  
**Agriculture**  
**Subchapter B. Water**  
**Part 27. Floodplain Administrator Accreditation Program**

**Codification Notes.** This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows: "Enabling and pertinent legislation. Ark. Code Ann. §14-268-101 et seq., Flood Loss Prevention. Ark. Code Ann. §15-24-101 et seq., Flood Control. Ark. Code Ann. §15-20-201 et seq., Arkansas Natural Resources Commission. Ark. Code Ann. §17-1-106, Licensure, certification, or permitting of active duty service members, returning military veterans, and spouses."

**Subpart 1. General Provisions**

**15 CAR § 27-101. Purpose.**

(a) The purpose of this program is to provide a procedure for accrediting floodplain administrators.

(b) Each county, city, or town shall designate a person to serve as the floodplain administrator to administer and implement:

(1) The community flood damage prevention ordinance or code pursuant to Arkansas Code § 14-268-104; and

(2) Any local codes and regulations relating to the management of flood-prone areas.

(c) This program will ensure that persons responsible for important economic decisions affecting health, safety, and welfare of the state receive annual training to assist them in managing development in floodplains.

**Authority.** Arkansas Code § 15-20-206.

**15 CAR § 27-102. Definitions.**

The following definitions shall apply to this part:

(1) "Accreditation" means that the floodplain administrator has met the education and training standards specified by the Arkansas Natural Resources Commission;

(2)(A) "Accreditation year" means the time from July 1 to June 30.

(B) The accredited floodplain administrator must comply with continuing education requirements each year to maintain accreditation;

(3) "Commission" means the Arkansas Natural Resources Commission, as defined in Arkansas Code § 15-20-201 et seq.;

(4) "Community" means town, city, county, or other unit of state government that has the authority to adopt, enact, and enforce ordinances, building codes or zoning codes, or other appropriate measures restricting or controlling the management and use of land, structures, and other developments in flood-prone areas;

(5) "Continuing education" means education designed to maintain and improve the ability to manage floodplains;

(6) "Director" means the Director of the Arkansas Natural Resources Commission;

(7) "Flood damage prevention ordinance" means an ordinance adopted by a community in order to implement provisions of participation in the National Flood Insurance Program;

(8) "Flood damage prevention ordinance" means an ordinance adopted by a community in order to qualify for participation in the National Flood Insurance Program;

(9) "Floodplain administrator" means the person designated by a city, town, or county to administer and implement:

(A) This part; and

(B) Other federal and state laws and local ordinances and regulations relating to the management of flood-prone areas;

(10)(A) "Floodplain management measures" means an overall community program of corrective and preventive measures for reducing future flood damage.

(B) These measures take a variety of forms and generally include:

- (i) Zoning;
- (ii) Subdivision or building requirements; and
- (iii) Special-purpose floodplain ordinances;

(11) "Flood-prone areas" means areas that are subject to, or are exposed to, flooding and flood damage; and

(12) "Returning military veteran" means a former member of the United States Armed Forces who was discharged from active duty under circumstances other than dishonorable.

**Authority.** Arkansas Code § 15-20-206.

**15 CAR § 27-103. Designation of floodplain administrator.**

(a) Each community ordinance adopted to restrict or control the management and use of land, structures, and other developments in flood-zone areas shall designate a person to serve as the floodplain administrator to administer and implement:

- (1) The ordinance; and
- (2) Any local codes and regulations relating to the management of flood-prone areas.

areas.

(b) Each community may have its own exclusive floodplain administrator, or several communities may employ a single floodplain administrator to manage floodplain development in their communities.

(c) A floodplain administrator may be:

- (1) Part time;
- (2) Full time; or
- (3) Contracted.

**Authority.** Arkansas Code § 15-20-206.

**15 CAR § 27-104. Replacing floodplain administrator.**

(a) When the floodplain administrator position becomes vacant, the community shall:

(1) Notify the Arkansas Natural Resources Commission within thirty (30) days;

and

(2) Provide a replacement within sixty (60) days.

(b) The newly appointed floodplain administrator will have sixty (60) days from the date of appointment to become accredited as described in Subpart 2 of this part.

**Authority.** Arkansas Code § 15-20-206.

## **Subpart 2. Eligibility Requirements**

### **15 CAR § 27-201. Authority.**

(a) The Arkansas Natural Resources Commission is authorized to accredit persons having requisite knowledge in floodplain management and in minimization and prevention of flood hazards and losses pursuant to Arkansas Code §§ 14-268-106 and 15-24-102.

(b) The commission may consider an applicant's knowledge, experience, skills, and training in floodplain management.

(c) The commission may require:

(1) Passage of an examination;

(2) Completion of approved training; or

(3) Certification by a floodplain management organization approved by the commission.

(d)(1) The commission may offer training courses to satisfy the "demonstration of basic knowledge of floodplain management" accreditation requirements.

(2) Training may be conducted by the commission or any commission-approved:

(A) Educational institution;

(B) Business entity; or

- (C) Individual.
- (3) Training may consist of:
  - (A) Formal courses;
  - (B) Conferences;
  - (C) Workshops;
  - (D) Online courses;
  - (E) Home study courses; or
  - (F) Other training methods approved by the commission.

**Authority.** Arkansas Code § 15-20-206.

**15 CAR § 27-202. Requirements for accreditation.**

An applicant may obtain accreditation by satisfying all of the following requirements:

- (1) Satisfactorily completing and submitting to the Arkansas Natural Resources Commission an application form provided by the commission;
- (2) Demonstrating a basic knowledge of floodplain management acceptable to the commission by one (1) of the following:
  - (A) Completion of a training course approved by the commission;
  - (B) Evidence of at least two (2) years of sufficient experience in floodplain management;
  - (C) Proof of current good standing as a certified floodplain manager in a certification program approved by the commission; or
  - (D) Passage of the commission's exam; and
- (3) Submission of a thirty-dollar accreditation fee.

**Authority.** Arkansas Code § 15-20-206.

**15 CAR § 27-203. Review of application.**

(a)(1) The application and supporting documentation to obtain accreditation will be reviewed by the Arkansas Natural Resources Commission staff.

(2) Commission staff will:

(A) Inform the applicant in writing if the application is incomplete; and

(B) Specify why the application is incomplete.

(b) When a completed application, supplemental application, or requested information is returned, the Director of the Arkansas Natural Resources Commission will review the application.

(c) If all requirements are met, accreditation will be issued.

**Authority.** Arkansas Code § 15-20-206.

**15 CAR § 27-204. Consideration of military training and experience in lieu of experience or education.**

When considering an application for licensure, the Arkansas Natural Resources Commission shall:

(1) Consider whether or not the applicant's military training and experience is substantially similar to experience or education required for accreditation; and

(2) Accept the applicant's military training and experience in lieu of experience or education required for accreditation if the commission determines the military training and experience is a satisfactory substitute for the experience or education required for accreditation.

**Authority.** Arkansas Code § 15-20-206.

**15 CAR § 27-205. Accreditation of active duty military, returning military veterans, and spouses.**

The commission will issue accreditation to an individual applying for Arkansas accreditation who:

(1) Holds a substantially equivalent accreditation issued by another state who is in good standing with that state; and

(2) Is one (1) of the following:

(A) An active duty military service member stationed in the State of Arkansas;

(B) A returning military veteran applying within one (1) year of his or her discharge from active duty; or

(C) The spouse of a person under subdivision(2)(A) or (2)(B) of this section.

**Authority.** Arkansas Code § 15-20-206.

**15 CAR § 27-206. Expedited accreditation of active duty military, returning military veterans, and spouses.**

The Arkansas Natural Resources Commission shall expedite the process for accreditation of any person qualifying for accreditation through 15 CAR § 27-205.

**Authority.** Arkansas Code § 15-20-206.

**Subpart 3. Maintaining Accreditation**

**15 CAR § 27-301. Renewal of accreditation.**

(a) Floodplain administrators shall submit the following each year prior to July 1 (when the new accreditation year begins) in order to renew their accreditation:

(1) Renewal application on a form provided by the Arkansas Natural Resources Commission;

(2) Renewal fee; and

(3) Documentation of completing the required continuing education in the form of an attendance certificate or a letter from an approved course provider stating that the floodplain administrator attended the course.

(b) If the applicant does not provide the commission with the items listed in subsection (a) of this section, the Director of the Arkansas Natural Resources Commission will deny renewal of accreditation.

**Authority.** Arkansas Code §§ 15-20-206, 15-24-209.

**15 CAR § 27-302. Continuing education requirements.**

(a)(1) Between July 1 and June 30 of each year, accredited floodplain administrators will be required to obtain continuing education to maintain and improve their ability to implement local floodplain regulations.

(2) Floodplain administrators must:

(A) Attend training provided by the Arkansas Natural Resources Commission; or

(B) Provide documentation of attending courses approved by the commission for accreditation.

(b)(1) Floodplain administrators should submit continuing education proposed to meet the annual accreditation requirement to the commission staff prior to taking a course.

(2) However, by supplying documentation of attending training that qualifies for continuing education (see 15 CAR § 27-303), credit may be approved after the fact.

(c) All floodplain administrators will be required to obtain at least eight (8) hours of continuing education during an accreditation year.

(d) For purposes of satisfying the continuing education requirement, one (1) hour of training will equal one (1) hour of continuing education.

(e)(1) No continuing education apart from the initial accreditation requirement will be required of floodplain administrators accredited for less than a year on July 1.

(2) These administrators will still be expected to complete a renewal application and submit a renewal fee but will not be required to meet the continuing education requirement until July 1 of the next year.

(f)(1) The commission shall allow a full or partial exemption from accreditation continuing education requirements for the following individuals:

(A) An active duty military service member deployed outside of the State of Arkansas;

(B) A returning military veteran applying within one (1) year of his or her discharge from active duty; or

(C) The spouse of a person under subdivisions (f)(1)(A) or (f)(1)(B) of this section.

(2) The commission may require the completion of continuing education before issuing a subsequent accreditation for renewal purposes.

**Authority.** Arkansas Code §§ 15-20-206, 15-24-109.

**15 CAR § 27-303. Continuing education topics.**

Continuing education topics approved for accreditation may include:

- (1) Floodplain management;
- (2) Floodplain mapping;
- (3) Floodplain management regulations;
- (4) Flood proofing;
- (5) Floodplain management ordinance administration;
- (6) Flooding and flood hazards;
- (7) Floodplains and ecosystems;
- (8) Flood hazard mitigation;
- (9) Multi-objective management;
- (10) The National Flood Insurance Program;
- (11) Flood insurance;
- (12) Elevation certificates; and
- (13) Other topics approved by the Arkansas Natural Resources Commission.

**Authority.** Arkansas Code § 15-20-206.

**15 CAR § 27-304. Expiration.**

(a) Unless renewed, an accreditation certificate shall expire on July 1 following the issuance of the certificate.

(b) Following the expiration of accreditation, reinstatement may be accomplished only by reapplication and compliance with all eligibility requirements.

(c)(1) An exception to expiration may be granted if, within a thirty-day period following the expiration date, the accreditation holder can demonstrate that unavoidable circumstances acceptable to the Arkansas Natural Resources Commission prevented scheduled renewal of accreditation.

(2) An example of such circumstances would be hospitalization due to an:

(A) Accident; or

(B) Illness.

(d) Accreditation held by an active duty military service member or the spouse of an active duty military service member deployed outside the State of Arkansas shall not expire until one hundred eighty (180) days following the active duty military service member's or the spouse's return from active deployment.

**Authority.** Arkansas Code § 15-20-206.

**Subpart 4. Fees**

**15 CAR § 27-401. Fee assessment.**

(a) In order to support the costs of operating the floodplain administrator accreditation program in the State of Arkansas, the Arkansas Natural Resources Commission will assess the community the following fees:

(1) Original accreditation, thirty dollars (\$30.00);

(2) Annual renewal of accreditation, twenty dollars (\$20.00); and

(3) Late fee for renewal thirty (30) days after expiration of accreditation certificate, fifteen dollars (\$15.00).

(b)(1) The Director of the Arkansas Natural Resources Commission may establish fees for miscellaneous services provided by the commission, including:

- (A) Photocopying;
- (B) Handling and mailing;
- (C) Providing publications;
- (D) Presenting education programs; and
- (E) Processing dishonored checks.

(2) This list may be updated from time to time as the director determines necessary.

(c) Fees are nonrefundable and shall not be prorated.

**Authority.** Arkansas Code §§ 15-20-206, 15-24-109.