

- B. For pipe depths between 5.1 and 10.0 feet and less from pipe invert to proposed finished grade, the easement or right-of-way width is to be 25 feet.
- C. For pipe depths 10.1 feet and greater from pipe invert to proposed finished grade, the easement or right-of-way width is to be 30 feet.

Drainage easements may be used for other easements with the written approval of the County Engineer or his designee and with consent of the easement holders. Nothing shall be constructed which prohibits the use of the drainage easements for access to various properties and other compatible uses without the written authorization of the County Engineer or his designee.

All stormwater drainage easements shall be recorded with the clerk of Superior Court of Effingham County.

A developer may be required to provide adequate easements downstream from his proposed discharge if adequate public or private facilities do not exist to carry the proposed discharge.

#### 4.3.8. Flood Elevation Impacts

All design work should be performed in strict conformance with applicable local, state, and federal government agency requirements pertaining to floodplain management. All development activity shall be designed to maintain the flooding capacity of the flood hazard area, unless:

1. It can be demonstrated that there is no increase, either upstream or downstream in the base flood elevation after the proposed improvement; and,
2. Compensating storage is provided for all flood volume displaced by the proposed development or redevelopment activities below the base flood elevation.

It is the policy of Effingham County that raising the flood water elevation on an adjacent property shall not be acceptable. As such, the LOS standards outlined in the Effingham County LDM shall be considered minimum standards. Where flood elevation(s) on an adjacent property will be increased due to development and/or construction of a drainage system, the LOS may be increased by the County Engineer or his designee in an effort to minimize impacts to the adjacent property. This requirement may be waived at the County's discretion if the adjacent property owner provides a permanent drainage easement between the two property owners. The easement shall provide that the owner of the impacted property acknowledges that an increase in flood elevations will occur on their property as a result of the proposed development. Additionally, the easement shall include at a minimum a map showing the extent of the pre-development and post-development 100-year floodplains. The party responsible for causing the impacts to the floodplain shall address any applicable FEMA or other regulatory requirements as part of the design and permitting effort.

Finally, the easement must be recorded with the Clerk of Superior Court of Effingham County as an attachment to the affected property's land deed and shall be binding on all future property owners. Long term maintenance of the easement shall be the responsibility of the private property owners in accordance with the provisions outlined in the easement.