

RESOLUTION OF
THE MEMBERS OF THE
BOARD OF THE TOWN OF ROCKY RIPPLE

WHEREAS, the Rocky Ripple Town Board (the "Board") previously passed a resolution requesting that the Town of Rocky Ripple ("Rocky Ripple") receive substantive flood protection and be re-included in the U.S. Army Corps of Engineers (the, "USACE") Phase 3B of the Indianapolis, White River (North), IN Flood Damage Reduction Project (the, "Project");

WHEREAS, the comment period has expired on the Project, and the USACE has issued its Record of Decision ("ROD") endorsing the Westfield Alignment which the Project proposes to run adjacent to the eastern edge of the Central Indiana Canal (the "Canal"), from South of Illinois Street to Butler University's Holcomb Gardens;

WHEREAS, the Board has been notified that the USACE and the City of Indianapolis (the "City") are considering yet another alignment along the Western side of the Canal berm ("Canal Berm Alignment") to complete the Project;

WHEREAS, the City has acknowledged that the Canal provides 60% of the City's water and therefore has significant monetary value to Citizen's Energy Group, the owner of said Canal;

WHEREAS, the USACE failed to attach a monetary value to the Canal when conducting its "Benefit to Cost" analyses and as a direct result failed to find the Rocky Ripple Alignment cost justifiable;

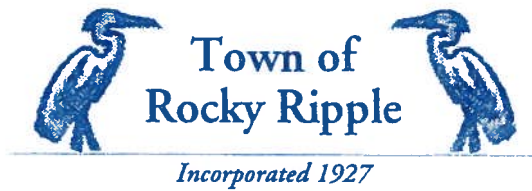
WHEREAS, the Canal Berm Alignment may be preferred by the City, it provides no flood protection for Rocky Ripple and threatens to take homes and other property in Rocky Ripple;

WHEREAS, although the City has studied the existing earthen levee in Rocky Ripple in order to provide Rocky Ripple with substantially improved flood protection, the City has not proposed any form of funding for said flood protection;

WHEREAS, the Board has communicated to the City that substantially improved flood protection is needed for various reasons relating to the public health, safety and welfare and the long-term viability of Rocky Ripple;

WHEREAS, the United States Congress passed the Biggert Waters Flood Insurance Reform Act of 2012 which significantly increases flood insurance rates for primary residences that are below the base flood elevation ("BFE") when any of the following occur: (1) the current policy lapses, (2) the property is sold to a new purchaser using a federally-backed mortgage, or (3) Flood Insurance Rate Maps for the area are revised (see *Section 205 of the Biggert Waters Flood Insurance Reform Act of 2012*);

WHEREAS, the residents of Rocky Ripple have been quoted flood insurance premiums under the new standards of the Biggert Waters Act and such premiums have ranged from approximately \$5,000 to approximately \$12,000 annually, which are increases of up to 750% of current annual rates;



WHEREAS, BFE has been defined by Federal law as the flood having one percent (1%) chance of being equaled or exceeded in any given year, also known as the "100-year flood";

WHEREAS, nearly every home and structure within Rocky Ripple is constructed at or below the BFE and the earthen levee that surrounds Rocky Ripple, which was constructed in the 1930s by the Works Project Administration in conjunction with the City, is estimated by the City to provide at best a "10-year return period" for purposes of "overtopping frequency" and perhaps as low as a "7-year return period" for purposes of failure prior to overtopping (see *WR-24 Rocky Ripple Levee Inspection, Marion County, Indiana, Christopher B. Burke Engineering, September, 2011*);

WHEREAS, unless the USACE or the City assists Rocky Ripple with achieving protection at the 100-year flood level, citizens of Rocky Ripple will not be able to afford the new insurance rates when they take effect and they will lose a significant portion of their equity in their homes, likely forcing foreclosures, bankruptcies, and property abandonment;

THEREFORE, BE IT:

RESOLVED, that Rocky Ripple requests that the USACE modify its Benefit to Cost Analyses associated with the Final Supplemental Environmental Impact Study to reflect the significant monetary value that both Citizen's Energy and the City have acknowledged the Canal to have;

FURTHER RESOLVED, that Rocky Ripple be rightfully re-included in the Project based on these modified Benefit to Cost Analyses, providing Rocky Ripple with fair and equal flood protection that its neighbors have been accorded;

FURTHER RESOLVED, that the Board hereby conveys to the City (and USACE) that Rocky Ripple, without any support from the City or the USACE, is adamantly opposed to the Canal Berm Alignment which would take both homes and property in Rocky Ripple without providing any additional flood protection to the citizens of Rocky Ripple;

FURTHER RESOLVED, that Rocky Ripple is requesting substantive assistance from the City to fortify the Rocky Ripple levee to provide 100 year flood protection;

FURTHER RESOLVED, the Board shall communicate with any necessary person, public or private, to implement the resolutions written above.


Robert Tomey


Carla Gaff-Clark


Brad Barcom, President