



GOVERNOR LAURA KELLY

EXECUTIVE ORDER NO. 22-05

WHEREAS, the National Flood Insurance Program (NFIP) is managed by the Federal Emergency Management Agency (FEMA); and

WHEREAS, floods can happen anywhere and cause significant damage to property and loss of lives; and

WHEREAS, some communities choose to adopt and enforce floodplain management regulations that help mitigate flooding effects and these communities are referred to as NFIP participating communities; and

WHEREAS, the State of Kansas is generally self-insured for risk of property loss below catastrophic levels; and

WHEREAS, the State of Kansas has an interest in protecting State assets against the risk of flood damage and loss;

NOW, THEREFORE pursuant to the authority vested in me as Governor of the State of Kansas, I hereby order as follows:

Whenever proposed construction of a state-owned development is to occur in a FEMA designated flood-prone area in a non-NFIP participating community, the Kansas Department of Administration shall require review of the proposed development to assure that:

1. All necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
2. If the proposed construction is not in a NFIP participating community and the proposed building site is in a flood-prone area, all new construction and substantial improvements shall (i) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, (ii) be constructed with materials resistant to flood damage, (iii) be constructed by methods and practices that minimize flood damages, and (iv) be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent

water from entering or accumulating within the components during conditions of flooding.

3. New and replacement water supply systems are designed to minimize or eliminate infiltration of flood water into the systems.
4. New and replacement sanitary sewage systems are designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and onsite waste disposal systems are located to avoid impairment to them or contamination from them during flooding; and
5. All other applicable requirements of 44 C.F.R. 60.3(a) through 44 C.F.R. 60.3(d) and any other relevant requirement of Federal or State law are met.

This document shall be filed with the Secretary of State as Executive Order 22-05 and shall become effective immediately.

THE GOVERNOR'S OFFICE

BY THE GOVERNOR

Laura Bell

DATED

June 17, 2022

Scott Schwab

Secretary of State

Byron A. Cash

Assistant Secretary of State

