

JUL 8 1997

EXECUTIVE ORDER
97-08*Rebecca McDowell Cook*
SECRETARY OF STATE

WHEREAS, expanded uses of the State's floodplains are occurring in some areas; and

WHEREAS, studies of areas and property subject to flooding indicate a further increase in flood damage potential and flood losses, even with continuing investment in flood protection structures and implementation of the National Flood Insurance Program; and

WHEREAS, the State of Missouri has continuing programs for the construction of structures, roads, and other facilities and annually acquires and disposes of land, all of which significantly influence patterns of commercial, residential, and industrial development; and

WHEREAS, the availability of programs for federal loans and mortgage insurance, state and federal financial assistance are determining factors in the utilization of land; and

WHEREAS, the availability of flood insurance under the National Flood Insurance Act of 1968, as amended, is dependent upon state coordination of federal, state and local aspects of floodplain, mudslide areas, and flood-related erosion area management activities in the State; and

WHEREAS, the Federal Insurance Administration has promulgated and adopted rules and regulations governing eligibility of state and local communities to participate in the National Flood Insurance Program, which participation depends on state coordination and the designation of an agency in the State of Missouri to be responsible for coordinating floodplain, mudslide areas, and flood-related erosion area management activities in the State of Missouri; and

WHEREAS, the Federal Emergency Management Agency provides an alternative method for state agency construction and development to be managed and regulated by the state, rather than by local communities, at Title 44 CFR, Section 60.12(a)(2); and

WHEREAS, the State of Missouri is required to designate a State Coordinating Agency to be responsible for state coordination.

NOW, THEREFORE, I, Mel Carnahan, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and laws of Missouri, hereby order as follows:

(1) The State of Missouri will encourage a broad and unified effort to insure that future uses and development of the State's floodplains are analyzed and used in a manner to lessen the risk of flood losses, particularly in connection with State lands and installations and State financed or supported improvements.

(2) The Director of the State Emergency Management Agency (SEMA) or his designee is the State Coordinator of the National Flood Insurance Program in Missouri, as described in Title 44, Section 60.25 of the Code of Federal Regulations.

(3) In accordance with Title 44, Section 60.3 of the Code of Federal Regulations, the directors of the Office of Administration, Division of Design and Construction, Departments of Public Safety (including the National Guard), Revenue, Mental Health, Social Services, Health, Higher Education, Elementary and Secondary Education, Transportation, Conservation, Natural Resources, Agriculture, Corrections, Economic Development, Insurance, Labor and Industrial Relations and any other board, commission or agency under the Executive Branch, directly responsible for the development shall make every effort to preclude the hazardous, unnecessary or unwise use of floodplains in connection with such development. All Executive Branch agencies shall obtain a floodplain development permit from SEMA for all proposed, state-owned development to be located in a special flood hazard area. Such permits shall be obtained prior to the start of construction. Floodplain Development permit, issued by the State Emergency Management Agency (SEMA), will be based on

the minimum criteria established in the Code of Federal Regulations at Title 44, Section 60.3; and under the alternative procedures authorized at Title 44 CFR, Sections 60.11 to 60.13, it is intended that the SEMA permit will be the only local floodplain permit required for state agency development. For purposes of this section, state development includes leased facilities.

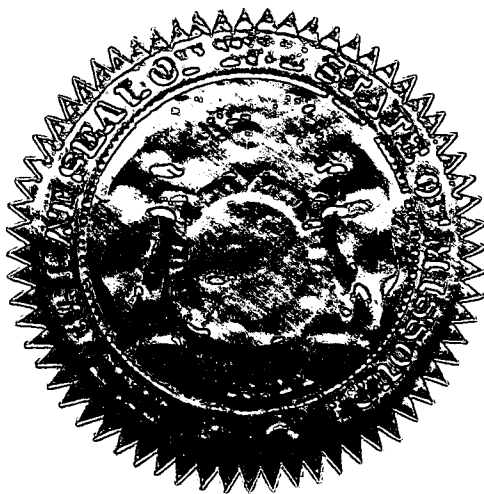
(4) All State Agencies responsible for the administration of grant or loan programs involving a development in a special flood hazard area, shall: require the grantee or loan recipient to evaluate flood hazards in connection with such developments; minimize the exposure of developments to potential flood damage and the need for state expenditures for flood protection and flood disaster relief; make every effort to preclude the hazardous, unnecessary or unwise use of special flood hazard areas in connection with such development; and obtain any required floodplain development permits if necessary.

(5) All state agencies shall take flood hazards into account when evaluating programs, plans and projects and shall provide for measures to prevent or guard against such flood hazards, appropriate to the degree of hazard involved.

(6) SEMA is authorized to promulgate rules and procedures for the State's internal floodplain permit program.

(7) This Executive Order shall supersede all previous Executive Orders on this subject.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 8th day of July, 1997.



Mal Canale

GOVERNOR

ATTEST:

Rebecca M. Daell

SECRETARY OF STATE