

STATE OF DELAWARE



EXECUTIVE DEPARTMENT
DOVER

EXECUTIVE ORDER
NUMBER FORTY-EIGHT

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES

RE: PROVISIONS FOR THE NECESSARY AND APPROPRIATE STATE COORDINATION AND PARTICIPATION WITH THE FEDERAL INSURANCE ADMINISTRATION UNDER THE NATIONAL FLOOD INSURANCE ACT OF 1968, AS AMENDED, AND RULES AND REGULATIONS PROMULGATED THEREUNDER

WHEREAS, national, state and local studies of areas and properties subject to flooding indicate a continued increase in flood damage potential and flood losses; and

WHEREAS, the availability of flood insurance under the National Flood Insurance Program, as provided by the National Flood Insurance Act of 1968, as amended, is dependent upon State coordination of federal, state, and local aspects of flood and erosion prone area management activities in the State; and

WHEREAS, the continued availability of federal assistance for many State programs is dependent on State certification pursuant to the National Flood Insurance Program; and

WHEREAS, the State of Delaware has extensive and continuing programs for the construction of buildings, roads, and other facilities and periodically acquires and disposes of lands in flood hazard areas, activities which significantly influence patterns of commercial, residential, and industrial development; and

WHEREAS, it is in the best interests of the State to establish and maintain a broad and unified effort to preclude

unnecessary development of the State's flood prone areas and to lessen the risk of flood losses in connection with State lands and installations and State financed or supported improvements; and

WHEREAS, designation of an agency in the State of Delaware to be responsible for such coordination is required;

NOW, THEREFORE, I, PIERRE S. du PONT IV, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby declare and order as follows:

1. The Office of Management, Budget and Planning is hereby designated as the agency to provide implementation of Sections 1909.23 and 1910.12, Rules and Regulations of the Federal Insurance Administration (Subchapter B, Chapter X, Title 24, Code of Federal Regulations) and subsequent amendments thereto;

2. All State agencies directly responsible for the construction of buildings, structures, roads, or other facilities shall preclude the unnecessary use of flood prone areas in connection with such facilities. In the event of construction or other development in such areas, the flood management criteria set forth in Sections 1910.3, 1910.4 and 1910.5 of the National Flood Insurance Rules and Regulations (Subchapter B, Chapter X, Title 24, Code of Federal Regulations), and subsequent amendments thereto, shall be applicable. To the extent practical, flood proofing measures shall be applied to existing facilities in order to reduce flood damage potential.

3. All State agencies responsible for the administration of grant or loan programs involving the construction of buildings, structures, roads or other facilities shall evaluate flood hazards in connection with such facilities, and in order to minimize the exposure of facilities to potential flood damage and the need for future State expenditures for flood protection and flood disaster relief, shall preclude the uneconomic, hazardous, or unnecessary use of flood prone areas in such connection.

4. All State agencies responsible for the disposal of lands or properties shall evaluate flood hazards in connection with lands or properties proposed for disposal to other public instrumentalities or private interests. In order to minimize future State expenditures for flood protection and flood disaster relief, the agencies may attach appropriate restrictions with respect to uses of the lands or properties from disposal.

5. All State agencies responsible for programs which affect land use planning, including State permit programs, shall take flood hazards into account when evaluating plans and shall encourage land uses appropriate to the degree of hazard involved.

6. As may be permitted by law, the head of each State agency shall promulgate appropriate rules and regulations relating to State approvals, authorizations, permits or review processes in order to ensure the proper consideration of flood hazards.

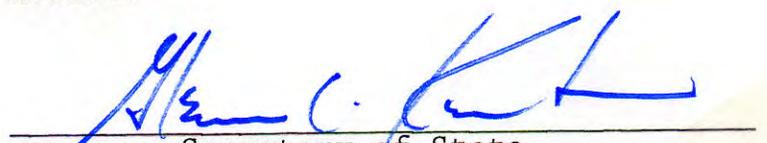
7. All State agencies, in cooperation with the Office of Management, Budget and Planning, shall conduct a survey of their holdings and identify those structures and sites which are flood prone. An inventory shall be maintained by such agencies and updated as of June 30 of each year, indicating the structures and uses thereof, replacement or current economic value of structures and contents, record of flood-related damage incurred by the structures or contents, and such other pertinent information as may be required.

APPROVED this 27th day of February, 1978.



Governor

ATTEST:



Secretary of State

