

**THE OFFICE OF THE GOVERNOR**

**EXECUTIVE DEPARTMENT  
STATE OF IDAHO  
BOISE**

**EXECUTIVE ORDER NO. 2015-06**

**PROVISIONS FOR STATE COOPERATION WITH THE FEDERAL INSURANCE ADMINISTRATION  
UNDER THE NATIONAL FLOOD INSURANCE ACT OF 1968, AS AMENDED**

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*WHEREAS, Idaho's floodplains have been developed in a way that may increase potential flood losses despite efforts to mitigate floods; and*

*WHEREAS, national, state and local studies of areas and property subject to flooding predict increases in flood damage potential and flood losses, despite continuing investment in flood protection structures; and*

*WHEREAS, the State of Idaho maintains programs for the construction of buildings, roads and other facilities and annually acquires and disposes of lands in flood hazard areas, which influences patterns of commercial, residential and industrial development; 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 activities to manage floodplains, mudflow areas and flood-related erosion areas in the state; and*

*WHEREAS, the Idaho Department of Water Resources (IDWR) is the State agency responsible for assisting with local regulations necessary for flood insurance provided by the National Flood Insurance Act of 1968 and regulations set forth in 44 CFR §60.25; and*

*WHEREAS, the Federal Emergency Management Agency (FEMA) has promulgated and adopted rules and regulations governing eligibility of State and local communities to participate in the National Flood Insurance Program, dependent upon State coordination of federal, State, and local activities to manage floodplains, mudflow areas and flood-related erosion areas in the state;*

*NOW, THEREFORE, I, C.L. "BUTCH" OTTER, Governor of the State of Idaho, by the authority vested in me under the Constitution and laws of this state do hereby order as follows:*

- 1. IDWR is hereby designated as the State agency to lead State implementation and administration of the National Flood Insurance Act of 1968 and 44 CFR §60.25, Rules and Regulations of the Federal Insurance Administration.*
- 2. IDWR shall encourage a broad and unified effort to promote wise use and development of the state's floodplains and, in particular, to reduce the risk of flood losses in connection with State lands and installation and State-financed or supported improvements, specifically as follows:*
  - a) Under the leadership and direction of the Idaho Department of Administration, all State agencies directly responsible for construction of buildings, structures roads or other facilities shall preclude the unsafe or unnecessary use of floodplains in connection with such facilities; in the event of construction in the floodplain, management criteria set forth in 44 CFR §60.3, 60.4, and 60.5 of the National Flood Insurance Regulations shall apply; flood-proofing measures shall be applied to existing facilities in order to reduce flood damage potential;*
  - b) All State agencies responsible for the administration of grant or loan programs involving the construction of building, 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 unsafe or unnecessary use of floodplains in such connection;*

- c) All State agencies responsible for 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 and, in order to minimize future State expenditures for flood protection and flood disaster relief, shall notify those instrumentalities and private interests that such hazards exist;
- d) All State agencies responsible for programs that affect land-use planning, including State permit programs, shall take flood hazards into account when evaluating plans and shall encourage land use appropriate to the degree of hazard involved;
- e) In evaluating flood hazard potential, all State agencies shall coordinate their work with IDWR to ensure that the most up-to-date data and/or methods of analysis are utilized; and
- f) As may be permitted by law, the head of each State agency shall issue appropriate rules and regulations to govern implementation of the provisions of Section 1 of this order by each agency to be coordinated with the Department of Administration.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 22nd day of June, in the year of our Lord two thousand and fifteen, and of the independence of the United States of America the two hundred thirty-ninth and of the Statehood of Idaho the one hundred twenty-fifth.

C.L. "BUTCH" OTTER  
GOVERNOR

LAWRENCE DENNEY  
SECRETARY OF STATE