

Kansas Administrative Regulations

Kansas Department of Agriculture—Division of Water Resources

Article 45.—Design of Levees

5-45-15. Floodplain fills; design criteria.

Floodplain fills shall meet or exceed the following design criteria: (a) The sideslopes shall not be steeper than one vertical to three horizontal, unless the applicant submits data and analysis to show that a steeper slope will be stable.

(b) Floodplain fills shall be adequately protected from erosion and undermining from floods up to the level of the base flood elevation and surface drainage by the use of vegetative cover, riprap or other means.

(c) Floodplain fills shall not unreasonably obstruct or divert the flow of surface water and other waters from the main stream and tributaries to the main stream to the detriment of adjacent or hydraulically affected property owners.

(d) Floodplain fills shall not obstruct utility or other easements without proper authorization.

(e) Floodplain fills shall not unreasonably affect the environment without adequate environmental mitigation.

(f) Floodplain fills, other than levees, for residential buildings, including manufactured housing, are required to be of adequate height to raise the lowest floor, including the basement, at least one foot above the base flood elevation, unless:

(1) an exception has been granted by the flood insurance administrator of the flood insurance administration within the FEMA for the allowance of a basement; or

(2) the chief engineer has approved a community standard at or above base flood elevation.

(g) Floodplain fills other than levees for sewage lagoons and sanitary landfills are required to have at least one foot of freeboard above the base flood.

(h) Except for fills for highways and roads, all other floodplain fills other than levees are required to have at least one foot of freeboard above the design flood.

(i) If subsequent to approval of the floodplain fill by the chief engineer, a letter of map revision or letter of amendment is obtained from FEMA removing an area of the approved or permitted fill from the floodplain, then any permit or approval issued by the chief engineer no longer applies to that area removed from the floodplain.

(Authorized by and implementing K.S.A. 1991 Supp. 24-126; effective, T-5-12-30-91, Jan. 1, 1992; effective April 27, 1992.)

***** Authenticated Kansas Administrative Regulation *****