

Kansas Administrative Regulations

Kansas Department of Agriculture—Division of Water Resources

Article 45.—Design of Levees

5-45-23. Use of geometric analysis.

(a)(1) A geometric analysis shall not be used if any existing or proposed levees or floodplain fills are located, or proposed to be located, within the lesser of the following distances measured from the boundaries of the proposed levee or floodplain fill:

(A) Five times the width of the water surface during a base flood, as measured both upstream and downstream; and

(B) 1,320 feet, as measured both upstream and downstream.

(2) The prohibition specified in paragraph (a)(1) shall not apply if the applicant demonstrates that the effects of the existing or proposed levee or floodplain fill projects are included in the analysis in a technically valid manner.

(b) If the geometric analysis shows that the increase in the base flood elevation that will be caused by the proposed project will cause an unreasonable effect, the applicant shall meet one of the following requirements:

(1) Submit a hydrologic analysis meeting the requirements of K.A.R. 5-45-14 and demonstrating that the proposed project will not cause an unreasonable effect, as determined by the geometric analysis; or

(2) modify the design of the proposed floodplain fill or levee so that the proposed project will not cause an unreasonable effect, as determined by the applicant's geometric or hydrologic analysis. If the project cannot be modified so that it will not cause an unreasonable effect, the application for the approval shall be denied.

(Authorized by and implementing K.S.A. 2007 Supp. 24-126; effective Oct. 3, 2008.)